

20  
22

ANNUAL  
REPORT



South Carolina Department of

**CHILDREN'S  
ADVOCACY**

Advocacy. Accountability. Service.









# DEPARTMENT OF **CHILDREN'S ADVOCACY**

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## A MESSAGE FROM THE STATE CHILD ADVOCATE

*Amanda F. Whittle, JD, CWS*

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To the Governor, President of the Senate, Speaker of the House of Representatives, and Joint Citizens and Legislative Committee on Children:

It is my pleasure to submit to you the Department of Children's Advocacy's 2022 Annual Report highlighting the progress that has been made during the 2021-2022 fiscal year, as well as outlining the goals that will continue to move us toward our ongoing commitment to improve outcomes for children and families in South Carolina.

*This fiscal year has been a pivotal one for the Department of Children's Advocacy and its divisions, as we have taken significant strides that will position us for big changes next year.*

Our agency has unique statutory authority not only to advocate for individual children, but to also promote a broad vision of reform to ensure that South Carolina's children receive adequate services from our state agencies.

Creating and promoting this vision and improving access to a robust array of placement and services requires an intentional focus on urgency, empathy, and sustainability as we hold each other accountable, while simultaneously working together to identify and maximize resources.

Case in point is the collaboration between DCA, DJJ, DMH, and DHHS to secure funding for a state-operated psychiatric residential treatment facility. Approved in May 2022, the PRTF will serve seriously mentally ill youth who have been committed to DJJ, giving them not only a designated psychiatric residential placement, but also a specially trained team of professionals who can provide appropriate treatment and care for justice-involved youth in a therapeutic and secure setting.

The DCA has also proudly supported DSS on two new laws passed this year that will provide additional resources for children in foster care, greatly improving their chances of overcoming adverse childhood experiences.

*We believe these changes will streamline operations, increase morale, and allow us to respond efficiently and effectively to the children in our state who need help.*

This fiscal year has been a pivotal one for the Department of Children's Advocacy and its divisions, as we have taken significant strides that will position us for big changes next year. The explosive growth in critical incident notifications points to strengthened relationships with the nine child-serving agencies. However, it has forced us to reevaluate and modify our internal procedures to ensure we can meet the demand. We also secured funding for a new database management system for the Foster Care Review Division that will greatly improve the division's ability to conduct and coordinate effective reviews. Currently in development, it is expected to be implemented in early FY24. Similarly, agency leadership has worked with existing funding to replace the Guardian ad Litem Program's case management system and to update the Investigations Unit's database.

Plans are in place to revamp the SC Heart Gallery and help more of South Carolina's legally free children find forever homes. And we have worked with the Department of Administration Human Resources on strategies that will help us respond to lingering staffing shortages.

We believe these changes will streamline operations, increase morale, and allow us to respond efficiently and effectively to the children in our state who need help.

Thank you for reviewing our 2022 annual report, outlining the DCA's work and the State Child Advocate's activities, pursuant to S.C. Code of Laws Ann. Section 63-11-2270 (7).

Respectfully submitted,

A handwritten signature in blue ink that reads "Amanda F. Whittle". The signature is written in a cursive, flowing style.

AMANDA F. WHITTLE, JD, CWLS

*State Child Advocate and Executive Director,  
SC Department of Children's Advocacy*

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## CHILDREN'S ADVOCACY OVERVIEW

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### MISSION

The South Carolina Department of Children's Advocacy champions advocacy, accountability, and service to improve outcomes for children served by state agencies in South Carolina.

### VISION

Growing a community where children thrive.

### BACKGROUND

The Department of Children's Advocacy (DCA) effectively began on July 1, 2019, pursuant to Act No. 160 (S. 805), which was signed into law on May 3, 2018. Amanda F. Whittle was appointed by Governor Henry McMaster on June 3, 2019, to serve as the State Child Advocate and Executive Director of the agency.

Since that time, and pursuant to statute, Whittle has developed a broad vision for reform regarding the services provided to children by child-serving state agencies. The DCA has engaged in child-specific staffings and systemic strategies to promote this broad vision and improve outcomes for South Carolina's children:

- Joint trainings and meetings to promote access and awareness of an array of services that allow children to safely remain in their homes and communities or in the least restrictive, most family-like setting based upon their needs

- Coordination of services and efforts for a system of care grounded in urgency, empathy, and sustainability
- Continued collaboration with child welfare partners regarding communication, service coordination, and planning strategies to improve the timeliness of court hearings and outcomes for children

### DIVISIONS

The DCA administers:

- Continuum of Care
- Foster Care Review Division
- Cass Elias McCarter Guardian ad Litem Program
- Investigations Unit

Continuum of Care, the Foster Care Review Division, and the Cass Elias McCarter Guardian ad Litem Program were administered by the Office of Executive Policies and Programs through the Department of Administration from 2015-2019 and by the Governor's Office prior to 2015. The Foster Care Review Division supports the Foster Care Review Board and operates the South Carolina Heart Gallery. The Investigations Unit has always been under the auspices of the DCA.

# CHILDREN'S ADVOCACY BUDGET

## FY 2021 - 2022

The DCA has maximized funding opportunities including the submission of two successful grant applications in 2021, which provided support throughout 2022; CARES Act reimbursement submissions in 2020, which supplied continued monetary resources; and contracts that allowed the agency to benefit from federal funding. The DCA's total FY 2021-2022 budget was **\$13.82M**, of which **\$7.86M** came from general funds. In addition, the General Assembly authorized pass-through funding for Children's Trust and the S.C. Network of Children's Advocacy Centers after considering testimony and documentation related to these entities during the budget hearing process.

## FISCAL YEAR 2021 - 2022 BUDGET

Table 1

State Funded Program Title	General	Other	Federal	Total
Administration and Investigations Unit	\$446,951.40	-	\$4,913.35	\$451,864.75
Guardian ad Litem Program	\$3,940,886.04	\$2,428,467.49	\$122,465.97	\$6,491,819.50
Continuum of Care	\$1,578,665.22	\$1,061,504.57	-	\$2,640,169.79
Foster Care Review Division	\$331,956.86	\$635,349.21	-	\$967,306.07
State Employer Contributions	\$1,561,783.47	\$1,662,315.42	\$45,844.04	\$3,269,942.93
<b>Total</b>	<b>\$7,860,242.99</b>	<b>\$5,787,636.69</b>	<b>\$173,223.36</b>	<b>\$13,821,103.04</b>

## FY 2022 - 2023

The DCA's FY23 budget request was submitted in September 2021 with the following recurring and non-recurring budget requests:

### RECURRING:

#### CONTINUUM OF CARE TRANSFER ALIGNMENT \$400,000

To offset the elimination of a \$400,000 transfer to Continuum of Care from DMH pursuant to Proviso 35.1, which has been in effect for approximately 20 years.

#### INVESTIGATIONS UNIT INFRASTRUCTURE \$200,000

To fully staff the DCA's Administration and System Improvement Unit. Projections for DCA's FY22 Administration budget are \$33,432 based on current spending.

#### FOSTER CARE REVIEW ADVOCACY UPGRADE \$200,000

To support staff capacity and training regarding the reviews of children in foster care.

### NON-RECURRING:

#### FOSTER CARE REVIEW ADVOCACY UPGRADE \$150,000

To support a case management system that drives action and advocacy for children in foster care.

#### ADMINISTRATION COMMUNICATIONS \$25,000

To support DCA's visibility and staff training, development, onboarding, and continuous quality improvement.

### TOTAL BUDGET REQUESTS

RECURRING FUNDS.....\$800,000

NON-RECURRING FUNDS.....\$175,000

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## AGENCY STRUCTURE & **ORGANIZATIONAL CHART**

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The DCA consists of approximately 200 FTE staff positions, 200 local and seven state Foster Care Review Board members appointed by the Governor, and 1,300 volunteer guardians ad litem. The organizational chart does not show DCA's shared services through the Department of Administration. DCA receives administrative support through Admin for financial accounting, human resources, information technology, procurement, and logistical support, pursuant to S.C. Code of Laws Ann. Section 63-11-2215. The support from Admin's shared services continues to be significant to the DCA.

During 2022, the agency operated a Legal Extern Program and the Juvenile Court Program through a Title II grant that ended on September 30, 2022. The agency restructured to add a separate budget for the Investigations Unit and to eliminate a designation of Program Operations. These changes have improved efficiency and communication within the agency.



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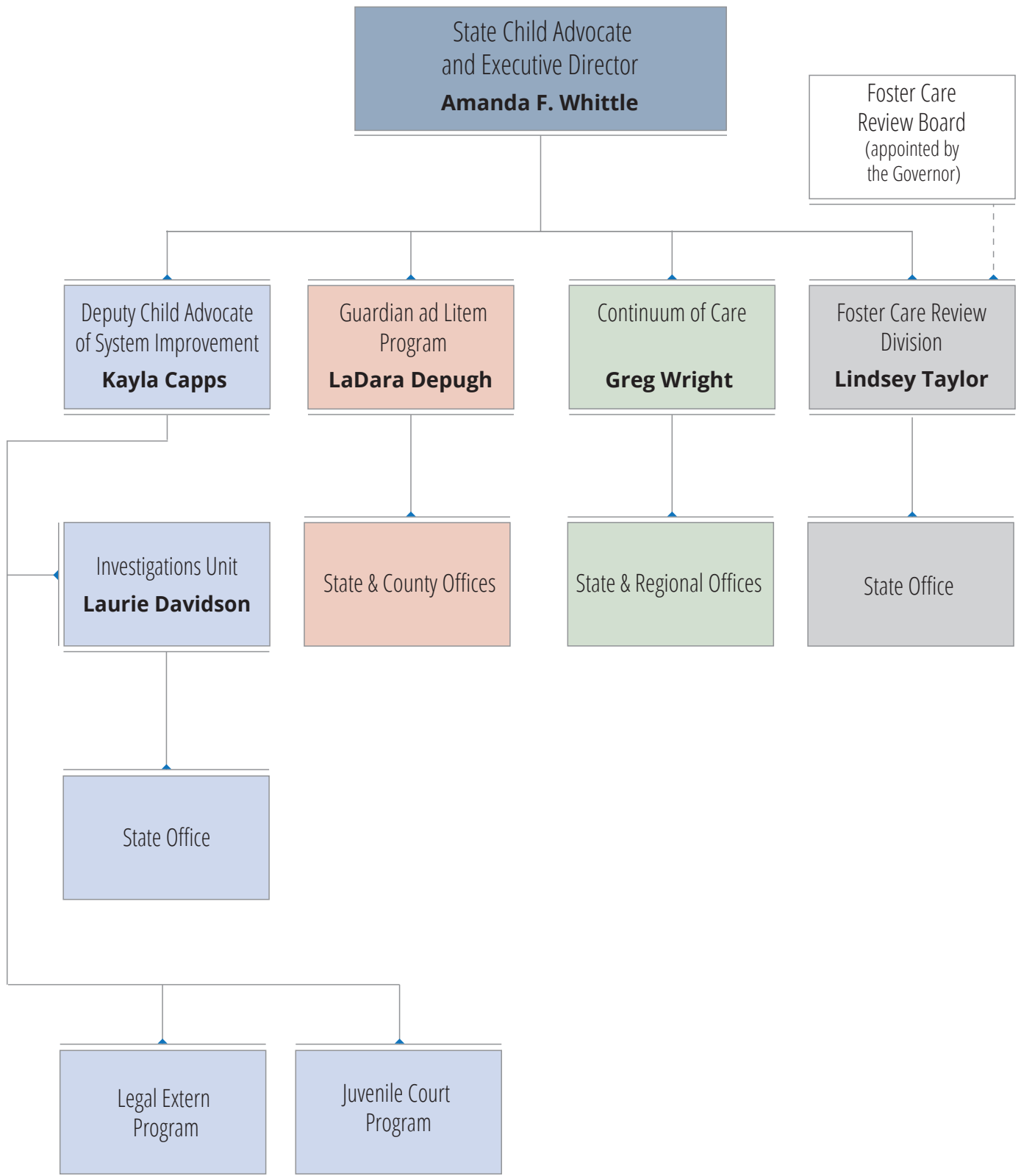


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# CHILDREN'S ADVOCACY COMMUNICATIONS SUMMARY

## OVERVIEW

Agency communications are aimed at recruiting and retaining staff and volunteers; improving education about safe sleep, suicide prevention, resource access, child abuse prevention and reporting; and raising awareness regarding the services provided to children and families by state agencies. Other forms of outreach included participating in staff meetings, conferences, and media interviews.

### NEWSLETTER

Twelve issues of our monthly newsletter were created and disseminated to more than 1,600 legislators, internal staff, staff at other agencies, volunteers, board members, organizations, and members of the community.

### WEBSITE

The agency optimized its website to create a more engaging and accessible way to explore its resource library, publications, news blasts, and agency contacts. The site is available in Spanish and English.

### SIGNAGE

Signage was distributed to strengthen the agency's identity and its relationship to its divisions. The signage is displayed in the 28 county Guardian ad Litem offices and the four regional and 14 county Continuum of Care offices.

DCA also disseminated posters about the Investigations Unit (in English and Spanish) and a multi-agency Safe Sleep Awareness poster. It also displayed posters about the launch of 988, and distributed agency and division brochures.

## SOCIAL MEDIA

The Department of Children's Advocacy has seen **43%** growth on its social media platforms over last year, ending 2022 with **1,236** and **345** followers on Facebook and Twitter, respectively.

Both accounts launched on March 17, 2020, as a way to help bolster the agency's communication efforts in the wake of closures caused by the coronavirus pandemic.



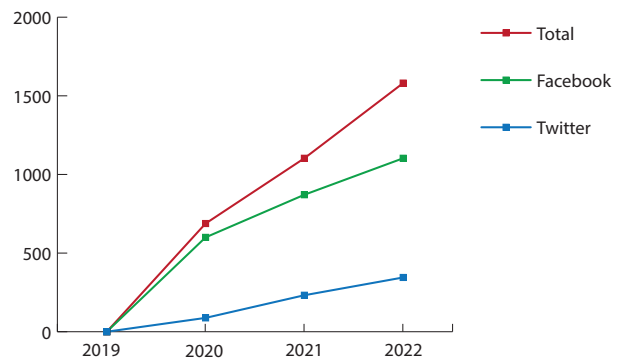
[facebook.com/ChildAdvocate.sc.gov](https://facebook.com/ChildAdvocate.sc.gov)



[twitter.com/ChildAdvocateSC](https://twitter.com/ChildAdvocateSC)

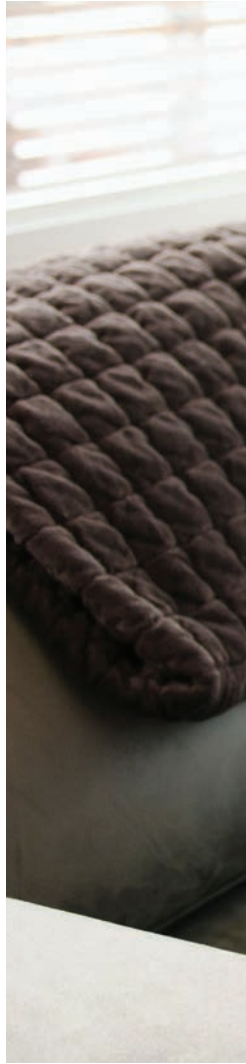
## 2022 SOCIAL MEDIA GROWTH BY PLATFORM

Fig. 1









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CASS ELIAS McCARTER  
**GUARDIAN AD LITEM PROGRAM**

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**14,425**  
*children served  
in FY 21-22*

**8,468**  
*children served  
each month*

**56%**  
*of cases handled  
by volunteers*



The Cass Elias McCarter Guardian ad Litem (GAL) program, led by Division Director LaDara Depugh, recruits, trains, supervises, and supports individuals who volunteer to serve as court-appointed special advocates for children in abuse and neglect proceedings within the family court under Section 63-7-1620.

Since 1984, GAL has served every county in the state except Richland County, which supports its own Court Appointed Special Advocate service. GAL was named after Cass Elias McCarter, a volunteer who started the state's first Guardian ad Litem program.

The division, which includes state office staff, regional directors, and county directors and staff, is responsible for assigning a GAL to any child involved in a DSS abuse and neglect case in family court, including, but not limited to, children in foster care.

During FY22, GAL provided advocacy for **14,425 children**, with an average of **8,468 open cases** month to month. Due to a shortage of volunteers, only 8,078 cases (56%) were handled by volunteers. GAL staff worked the remaining 6,347 cases (44%).

## VOLUNTEER RECRUITMENT

The program's operation model depends on volunteers, and its ultimate goal is for 100% of cases to be handled by volunteers who are recruited, trained, supervised, coached, and supported by staff.

In FY22, the number of volunteer GALs needed to meet this goal fell for the first time in two years, from 61% to 56% [Table 2](#). However, the division has taken significant steps to reverse this trend and raise GAL's visibility across South Carolina:

- Hiring one statewide recruitment/training director and four regional recruiter/trainers
- Increasing public engagement through utilizing GAL's Facebook page to highlight volunteers and share related articles, pictures, celebrations, and upcoming events
- Attending local community and cultural events, festivals, churches, and civic organization meetings
- Working with media across the state on news stories,

- publishing articles in newsletters, and radio advertising
- Running a billboard campaign in high traffic areas throughout the state
- Using WebEx to meet the growing demand of volunteers requesting to attend training and information sessions online

## VOLUNTEER SATISFACTION

In recognition of GAL's volunteer business model, an annual satisfaction survey was developed in 2020 to gauge the volunteers' experiences and collect their recommendations for improvement. Disseminated the first quarter of each calendar year, the survey hopes to strengthen connections among staff, volunteers, and the child welfare community at large.

### GAL VOLUNTEERS APPOINTED TO CASES Table 2

Year	Baseline	Goal	Actual
FY20	51%	60%	59%
FY21	59%	70%	61%
FY22	61%	80%	56%
FY23	56%	65%	TBD

### VOLUNTEER SATISFACTION SURVEY Table 3

Year	Baseline	Goal	Actual
FY20	n/a	80%	70%
FY21	70%	80%	83%
FY22	83%	90%	76%
FY23	76%	85%	TBD

### STAFF VACANCY RATE Table 4

Year	Baseline	Goal	Actual
FY20	37%	25%	20%
FY21	20%	10%	13%
FY22	13%	10%	18%
FY23	18%	10%	TBD

The FY22 survey found 76% of volunteers expressed general satisfaction with the GAL program, down from 83% in FY21 and short of the 90% target goal [Table 3](#).

To address this deficit and improve future volunteer satisfaction rates, GAL staff have increased the number of meetings, swearing-in ceremonies, appreciation services, and continuing education opportunities to engage volunteers. Plans are underway for FY23 regional GAL conferences in December 2022 and January 2023.

It is imperative for the GAL program's success that our volunteers are satisfied with the training and supervision they receive.

## STAFF RECRUITMENT

A top priority for GAL is to significantly reduce the existing personnel vacancies within the program and to ensure that each county office is sufficiently staffed. As of June 30, 2022, there were 24 FTE vacancies (18%) in the program, cutting by half the FY20 vacancy rate of 37% [Table 4](#).

To help retain and encourage staff to strive for excellence, GAL introduced a performance-based pay rate plan to reward staff based on their annual performance rating, allowing for a more comparable salary within the agency. A major part of the plan included reclassifying the administrative assistant positions (Band 3) to program assistants (Band 4), which better aligned with their job duties and provided an increase in pay. These initiatives have significantly reduced turnover and elevated employee morale.

In October 2021, GAL received a VOCA (Victims of Child Abuse) grant, allowing the program to hire additional staff. The grant pays for six employees who will provide an estimated 7,000 hours of direct child advocacy services as case workers to children in abuse and neglect cases when a volunteer GAL is not available.

GAL also completed the Highly Effective Standards Review Process (HESRP) in June 2022. Administered by National CASA, the review's focus is to measure and/or establish a high standard for the organization to provide strong advocacy to the children served. To help achieve these standards, GAL hired a quality assurance manager and is developing a new quality assurance process that will streamline and improve staff and volunteer service delivery. GAL also used existing funding to purchase a new case management database system.

During FY22, GAL reviewed all policies and procedures to ensure they correlate with DCA's mission and vision. They were also added to the SCEIS training network, allowing updates to be made more efficiently, providing easier access for staff to review, and allowing management to better track when staff have completed their review.





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## FOSTER CARE REVIEW DIVISION

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The Division for Review of the Foster Care of Children (hereinafter referred to as Foster Care Review Division or FCRD) is led by Division Director Lindsey Taylor and includes state office staff who support the work of the South Carolina Foster Care Review Board (FCRB).

The FCRB was created in 1974 to provide external accountability for the foster care system and review the cases of children in foster care. Board members are nominated by their legislative delegations and appointed by the Governor. South Carolina was the first state to enact a system of citizen review responsible for improving permanency outcomes for children in foster care. The FCRB consists of a state board and 44 local review boards. The local boards review cases of children who have been in foster care for four months and then every six months thereafter, so long as the child remains in the custody of the Department of Social Services.

FCRD saw a number of changes during FY22, including the hiring of Taylor as division director in January 2022, a number of new staff, and a renewed state board of directors. The time was right to take a fresh look at current practices and procedures and make recommendations for improvements to increase the impact of the FCRB.

### EFFICIENCY STUDY

These changes coincided with an efficiency study, requested by DCA Director Whittle in the summer of 2021 and completed by the Office of Inspector General, to examine methods of improving processes, workflows, workloads, and outcomes. The study was provided to Director Taylor upon her hiring. Key recommendations—followed by their progress—included:

***Replacing the outdated and unsupported CASPER database system***

Funding was requested in September 2021 and approved for FY23, and development of the new comprehensive case management

system began in 2022. It is projected to be completed in early FY24 and will enhance the efficacy and impact of reviews. It will also improve staff morale and efficiency by reducing data entry duplication and system downtime.

***Move to a paperless process***

The updated case management system will allow the transition toward paperless record-keeping to begin.

***Create a system of accountability for areas of concern***

The new case management system will provide enhanced capabilities for tracking and monitoring barriers to permanency identified at reviews and relay the causes for these barriers to DSS and other responsible partners.

***Review and update statutes to provide consistency between FCRD and DCA, as well as statutory standards among DSS, FCRD, and GAL***

Assessment of division policies and procedures has been ongoing with expected completion by the end of Q1 of FY24, coinciding with the implementation of the new case management system.

***Improve communication among DCA, FCRD, GAL, DSS, the judiciary, and other partners***

The FCRD has been intentional in strengthening its collaborative relationship with DSS by ensuring FCRD staff understand current DSS policies and also educating DSS staff on FCRD's mission, values, and statutory requirements. Efforts have included participating in monthly meetings with leadership and assisting with the development and administration of a survey that was completed by both FCRB members and DSS staff to assess the current state of relationships and perceptions. In May 2022, FCRD also began attending and participating in the Child Welfare Academy certification training for new DSS staff.





The division continues to embrace virtual meetings for their ability to help improve communications with FCRB members. The flexible and easily-accessible format has increased participation and allowed invited attendees to be more involved during reviews. It also allowed the division to host four regional trainings and one statewide board member training regarding child welfare practice, available services, and collaboration opportunities with a variety of partners. The trainings were designed to ensure board members have relevant and updated information concerning our state's foster care system. The statewide training was the division's Annual Professional Development Day, which included more than 100 participants.

#### ***Identify more efficient ways to fill board and staff vacancies***

One issue that continues to be a concern is the number of ongoing board vacancies on state and local boards. As of June 2022, there were approximately 60 local board vacancies and three state board vacancies. FCRD is developing a comprehensive communications plan and feedback loop to ensure that local legislative delegations are aware of the vacancies and the impact vacancies have on the effectiveness of FCRB reviews. Local board members have expressed interest in having more involvement with the process of recruiting new board members and following up on their candidacy.

Like many agencies, FCRD experienced significant retention and hiring challenges throughout FY22. Division leadership spoke to staff, both those who exited and those who remained, to identify any root causes that could be remedied. Temporary salary adjustments were given to staff who took on extra duties due to the staffing shortage. Division Director Taylor, along with Admin Human Resources shared services and DCA Director Whittle, began a compensation assessment to identify inequities internally and externally. If approved, equity pay increases for impacted staff will be implemented in FY23. The DCA is also exploring the implementation of a telecommute day for staff. Finally, FCRD reactivated their internal activities committee to plan team-building events designed to boost morale and foster a positive work environment.

#### ***Adhere to the statutory names for the Foster Care Review Division and the Foster Care Review Board***

Agency and division leadership and staff have begun clearly defining and consistently communicating the difference between the Foster Care Review Board (FCRB) and the Foster Care Review Division (FCRD).



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## SOUTH CAROLINA HEART GALLERY

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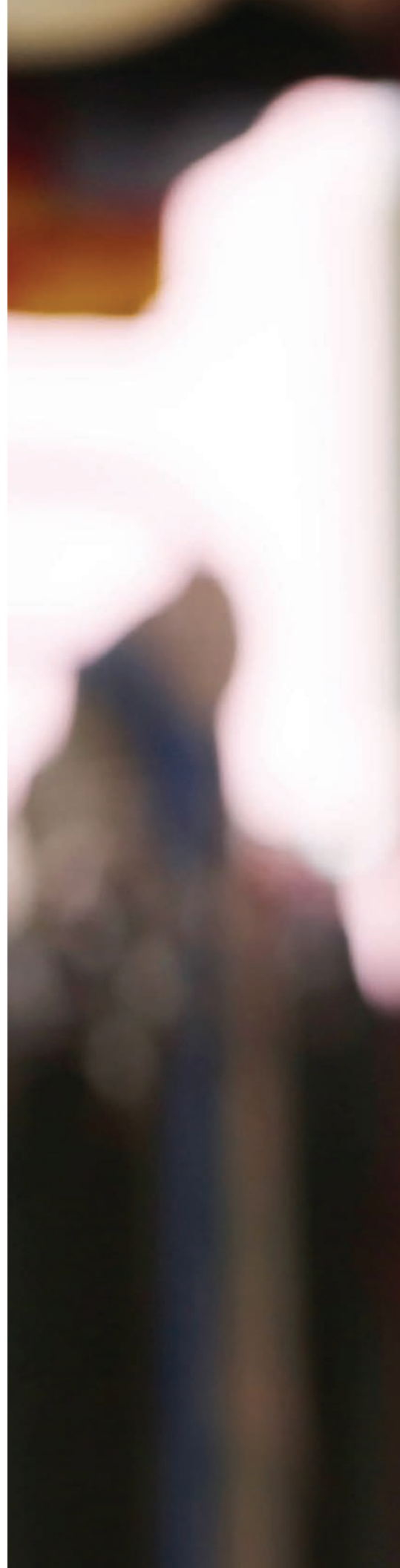
The South Carolina Heart Gallery (SCHG), under the auspices of the Foster Care Review Division (FCRD), works to find forever families for children in foster care who are legally free and awaiting adoption. To fulfill its mission, SCHG recruits photographers who volunteer to take photos of these children at scenic locations around the state. Staff share the photos on the SCHG's website and social media accounts, partner with media outlets, and work with public and nonprofit organizations to host art exhibits of the framed portraits.

The program was an effective tool for adoption, and in fact, more legally free children were adopted through the program in CY19 than in any previous year. However, beginning with the pandemic, SCHG experienced multiple obstacles to fulfilling its mission. The inability to hold regular photo sessions made a significant impact, as did leadership issues for both FCRD and SCHG. From May 2021 through June 2022, SCHG did not have a program coordinator. The FCRD director position was also vacant from April to December 2021.

After taking over as FCRD division director in January 2022, Lindsey Taylor, along with Director Whittle, began efforts to revitalize the SCHG, ensuring the program could again maximize its impact on adoption recruitment across the state.

A search for a new program coordinator was quickly initiated and the program once again began holding group photo shoots in April 2022.

In addition to still photos, Taylor also explored ways to create videos of the children. The DCA began talks with Grant Me Hope, a nonprofit that produces videos of legally free children and partners with local news organizations to air those videos in an effort to recruit forever families. The agreement is pending, and if signed, production would begin after the new program coordinator is hired.





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## CONTINUUM OF CARE

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Continuum of Care (COC) is led by Division Director Greg Wright and includes state office staff and regional program directors, supervisors, wrap team leads, and wrap facilitators. COC serves children with serious emotional, behavioral, and psychiatric issues so they can remain in their homes, schools, or communities, reducing trauma for both youth and their families. It also decreases the number of children under the state's care, either through foster care or the juvenile justice system.

COC is the only state government entity that provides High Fidelity Wraparound, an evidence-based intensive care coordination program where families—not service providers—determine goals based on their own needs. Throughout the process, COC facilitators connect families to the unique resources within their communities, teach them to recognize and use the strengths they already possess, and rely on their skills and talents so they know when they are ready to stand alone.

***During FY22, Continuum of Care provided services for an average of 292 youth each month across all four regions.***

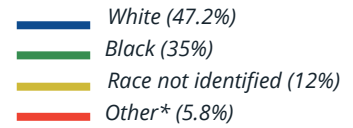
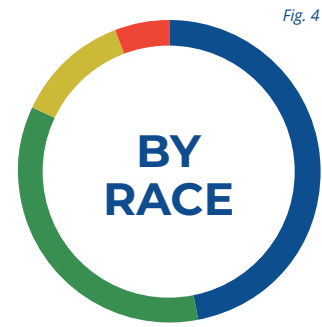
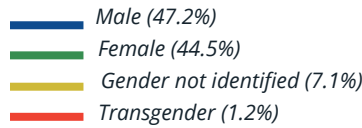
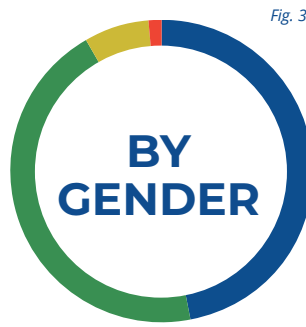
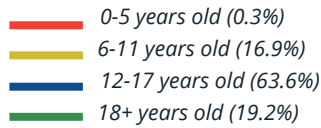
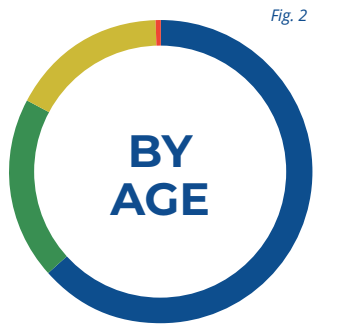
### **CHILD ADOLESCENT FUNCTIONAL ASSESSMENT**

COC uses the Child Adolescent Functional Assessment Score (CAFAS) to objectively measure a youth's improvement as well as the efficacy of the High Fidelity Wraparound model. CAFAS gauges how children function in daily life activities and assesses impairment of children and adolescents who have been or are at risk for emotional, behavioral, substance abuse, psychiatric, or psychological problems. Youth are evaluated at enrollment to record a baseline number and then every 90 days until completion of treatment. By the end of the program, youth should see a significantly reduced CAFAS score. That score, coupled with a team decision, helps determine when care coordination is no longer needed.

In FY22, COC achieved a 25 point (18%) average reduction in CAFAS scores across the state's four regions [Table 5](#), indicating that youth are making significant improvements. However, COC fell short of its 30 point (22%) average reduction goal for FY22, as set forth in the DCA's FY21 accountability report. The deficit could



## DEMOGRAPHIC DATA FOR FY22



### AVERAGE YOUTH CAFAS SCORE IN FY22

Table 5

Region	Baseline Score	Most Recent Score	Difference	Percent Change
Region A - Midlands	130	90	40	<b>-31%</b>
Region B - Upstate	140	120	20	<b>-14%</b>
Region C - Pee Dee	150	130	20	<b>-13%</b>
Region D - Lowcountry	140	120	20	<b>-14%</b>
<b>TOTAL AGENCY AVERAGE OF DIFFERENCE</b>			<b>25</b>	<b>-18%</b>

### AVERAGE YOUTHS SERVED PER MONTH

Table 6

Region	Number of Youth
Region A - Midlands	59
Region B - Upstate	51
Region C - Pee Dee	143
Region D - Lowcountry	38
<b>TOTAL AVERAGE SERVED PER MONTH</b>	<b>292</b>

be attributed to lingering impacts of the pandemic, a considerable workforce shortage, and/or the dynamics associated with implementing High Fidelity Wraparound.

### 1915(C) MEDICAID WAIVERS

In FY21, COC was identified as South Carolina's sole provider for intensive care coordination through a 1915(C) Medicaid Waiver. This allowed COC to serve up to 250 waiver-qualified youth in FY22. The division met this goal in FY22 and is committed to maximizing its allowed enrollment of 300 by the end of FY23.

COC was established by the Legislature in 1983, but responsibility for services was divided in approximately 2000. Youth who remained in the custody of their parents continued to be served by COC. Youth who were placed in out-of-home settings received treatment from DSS's Intensive Foster Care and Clinical Services (IFCCS) division, previously known as Managed Treatment Services (MTS).

COC Director Greg Wright has met with the state's Managed Care Organizations, and COC staff have engaged within their communities to encourage referrals to COC. These efforts avoid out-of-home placements and help transition youth back into the community from higher levels of care, such as residential treatment providers.

Since its formation in 2019, DCA and COC have worked with DSS to extend COC's services to children living outside the home, while being careful not to supplant services as outlined in state law.

### TEN PRINCIPLES OF HIGH FIDELITY WRAPAROUND

The Wraparound approach is based on 10 principles purposed to help youth and their families reach their family vision and goals:

- Family Voice and Choice
- Team-Based
- Natural Supports
- Collaboration
- Community-Based
- Culturally Competent
- Individualized
- Strengths-Based
- Persistence
- Outcomes-Based

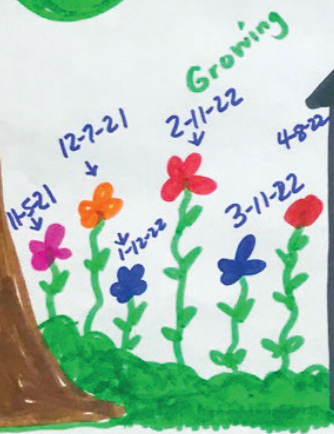
\* Other races included: Mixed race (2.6%); Hispanic (1.7%); Native American/Alaska Native (0.5%); Asian (0.1%); Native Hawaiian/Other Pacific Islander (0.1%); and Other (0.9%).

FAMILY

VISION



Life will be better when we can appreciate each others differences and have a **HAPPY** home.



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## COC STAFF HELP FAMILIES CREATE A VISION FOR THE FUTURE

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Linda Williams, wraparound team lead for Continuum of Care Region B in the Upstate, has developed a unique way of connecting with her families and showing the progress they are making on their High Fidelity Wraparound journey.

High Fidelity Wraparound asks each family to work together to create a "Family Vision" statement that expresses who their family is, their combined hopes and dreams, and the goals they are striving for by reflecting on the phrase, 'Life will be better when....'

Williams takes the process to the next level by using interactive art to help families visualize how far they have come.

"After meeting with the family and getting their family vision statement, I draw a house on a large post-it paper and write their family vision on it. I then begin to engage the family to look at their house and reflect on what they can do as a family to make their vision come to life," says Williams. "At this point, families sometimes are at a loss and in so much disarray that they can't see what their family can become.

"But during monthly meetings they review their statement and rate how well they are doing. The youth draw a flower in their garden to reflect good progress, and over time, they can see how far they have come by the many flowers in the garden."

Williams says the idea came to her several years ago while working with an 11-year-old girl and her guardian grandparents who were avid gardeners.

*"I hope when they look at it, they see that what was once just a house is now surrounded by beauty and has become a welcoming home."*

"The grandparents would always tell their granddaughter how much they loved her. They called her 'Belle,' a term of endearment for beautiful flowers, and eventually she began to believe in herself and that she was also a beautiful flower," says Williams. "Flowers were such a strong connection between the grandparents and the youth, and seeing how she blossomed in their care made me want to incorporate that imagery for my other families."

Greg Wright, who leads the Continuum of Care division, says he encourages initiatives like this that help facilitators personalize the care they provide to each family. "All of our staff have their own methods of meeting families where they are and individualizing the treatments to find what works best," he says. "Linda is a very creative person, and she has found a great way to provide wraparound services that meet the needs of her youth and families."



The technique has been successfully used by others in the division, including Alisha Kammerude, a wraparound facilitator who started using it with support from Williams. "My families have really enjoyed this tool as I bring it every month to display how our flowers have grown since our initial meeting. The visuals help my youth see where they started in the wraparound process and encourages them to want to continue to work on their underlying needs in order to add more flowers to their garden."

Williams says she frames the resulting artwork and presents it to the family once youth have successfully completed the wraparound program as a lasting reminder of their shared goals and how far they have come.

"I hope when they look at it, they see that what was once just a house is now surrounded by beauty and has become a welcoming home."

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*Left photo: An example of a Family Vision drawing. Right photo: Linda Williams, Wraparound Team Lead, COC Upstate Region.*



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## SYSTEM IMPROVEMENT

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The Department of Children's Advocacy is tasked with examining on a system-wide basis the care and services that state agencies provide children and making recommendations to improve the quality of those services in order to give each child the opportunity to live a full and productive life.

System Improvement (SI), under the direction of Deputy Child Advocate Kayla Capps, is key to fulfilling that mission. Through various initiatives, SI has worked to make services and programs more effective for children and families.

SI oversees two reporting mechanisms regarding child-serving state agencies:

- The Investigations Unit (IU) handles complaints concerning these agencies. A full report can be found on page 28.
- Critical incidents come directly from child-serving agencies, and more information can be found on page 30.

During FY22, SI oversaw additional initiatives that were aimed at improving outcomes for children and youth including the implementation of the Juvenile Court Program and the continuation of the Legal Extern Program.

### JUVENILE COURT PROGRAM

Director Whittle and Deputy Capps submitted a successful grant application for the Juvenile Court Observation and Court Coordination Program (Juvenile Court Program or JCP), which was implemented in FY22. The JCP was a Title II grant-funded project to improve South Carolina's juvenile justice system that ran from October 2021 through September 2022 in three counties—Aiken, Richland, and York—and focused on:

- Deinstitutionalization of status offenders
- Addressing racial and ethnic disproportionality
- Identifying alternatives to youth detention

Quantitative and qualitative data for all justice-involved youth who had family court proceedings were captured through court observation between January 1 and March 31, 2022. A total of 292 youth hearings were observed (74 in Aiken County; 88 in Richland County; and 130 in York County).

### Summary of Findings

Because the observations were conducted for a limited amount of time in the three pilot counties, results are only reflective of the juveniles who were observed. They should not be interpreted as representing the entire population of justice-involved youth in these counties or in the state.

### Deinstitutionalization of status offenders

Of the 292 hearings observed, only four youth appeared in court for straight status offenses (three in York, one in Aiken). Family court should be a last option for all status offenders, and while South Carolina historically struggles with deinstitutionalization, data showed this was not prevalent in these counties during the observation period.

### Addressing Racial and Ethnic Disparities

Although minority youth make up 43% of all youth under 18 in South Carolina, they are represented in 63% of all juvenile cases.

Over-representation was also true for this study, with 56% of the youth observed identifying as Black, 33% as white, and 7% as another race (Hispanic, Asian, Native Hawaiian or Pacific Islander, or two or more races) [Table 7](#).

There were almost twice as many Black males as white males and more than 12 times as many Black males as males of "Other" races [Table 8](#). There were also four times as many Black males as Black females [Table 9](#).

### Alternatives to Detention

The JCP sought to determine whether STAPs (Short Term Alternative Placements) were underutilized, ascertain why they are not used more often, provide awareness about their availability, and encourage their use in situations where the youth is not a safety threat.

Qualitative data was gathered to illuminate the dynamics affecting placement decision-making. Factors examined included evaluation type, gender, race, DSS involvement, mental health involvement, previous adjudication, and the involvement of firearms. Findings included:

- For all three counties, youth were sentenced to probation 70% of the time [Table 10](#).
- Youth were sentenced to probation with strict house arrest or an indeterminate sentence if they discharged a firearm.
- An average increase of .10 months was added to the disposition time guideline for every one-unit increase in the severity of charges score.
- Twice as many youth were ordered to complete community evaluations as compared to secure evaluations.
- While most youth were released to the community or to placement after their detention hearing, DSS-involved youth were more likely to be released to placement or be detained.

\* Gender was not identified in 13 cases, reducing the total number of cases with this data to 279.

### FREQUENCY OF RACE BY COUNTY

Table 7

County	Black	White	Other	Unidentified	TOTAL CASES
Aiken	23 (31%)	36 (49%)	5 (7%)	10 (14%)	<b>74 (100%)</b>
Richland	75 (85%)	7 (8%)	5 (6%)	1 (1%)	<b>88 (100%)</b>
York	65 (50%)	52 (40%)	11 (8%)	2 (2%)	<b>130 (100%)</b>
<b>TOTAL</b>	<b>163 (56%)</b>	<b>95 (33%)</b>	<b>21 (7%)</b>	<b>13 (4%)</b>	<b>292 (100%)</b>

### FREQUENCY OF RACE BY GENDER\*

Table 8

Gender	Black	White	Other	TOTAL
Male	130 (63%)	66 (32%)	11 (5%)	<b>207 (100%)</b>
Female	33 (46%)	29 (40%)	10 (14%)	<b>72 (100%)</b>
<b>TOTAL</b>	<b>163 (58%)</b>	<b>95 (34%)</b>	<b>21 (8%)</b>	<b>279 (100%)</b>

### FREQUENCY OF GENDER WITHIN RACE\*

Table 9

Race	Male	Female	TOTAL
Black	130 (80%)	33 (20%)	<b>163 (100%)</b>
White	66 (69%)	29 (31%)	<b>95 (100%)</b>
Other	11 (52%)	10 (48%)	<b>21 (100%)</b>
<b>TOTAL</b>	<b>207 (74%)</b>	<b>72 (26%)</b>	<b>279 (100%)</b>

### RELATIONSHIP BETWEEN COUNTY & DISPOSITION

Table 10

County	Prob.	House Arrest	Place.	House Arrest & Prob.	STAP & Prob.	Det. Sen.	Indet. Sen.	TOTAL
Aiken	10 (53%)	0 (0%)	3 (16%)	1 (5%)	0 (0%)	2 (11%)	3 (16%)	<b>19 (100%)</b>
Richland	31 (65%)	1 (2%)	2 (4%)	10 (21%)	1 (2%)	1 (2%)	2 (4%)	<b>48 (100%)</b>
York	49 (80%)	0 (0%)	1 (2%)	2 (3%)	0 (0%)	9 (15%)	0 (0%)	<b>61 (100%)</b>
<b>TOTAL</b>	<b>90 (70%)</b>	<b>1 (1%)</b>	<b>6 (5%)</b>	<b>13 (10%)</b>	<b>1 (1%)</b>	<b>12 (9%)</b>	<b>5 (4%)</b>	<b>128 (100%)</b>



## Recommendations

Based on the findings in the JCP study, the DCA recommends the following next steps:

- Support the expansion of the Juvenile Detention Alternatives Initiative (JDAI) to Charleston to include viable alternatives to detention for law enforcement, viable alternatives to secure evaluations, and a commitment from judges specifically regarding status and low-risk offenders.
- Continued collaboration and coordination with national partners such as other JDAI programs and the Coalition for Juvenile Justice to develop best practices and policies.
- Continued collaboration with state partners, including the Systems Improvement Committee of the Governor's Juvenile Justice Advisory Council to work towards policies that can be adopted at the state level.
- Prevention efforts to reduce youth involvement with the juvenile justice system.

A full report of the findings of the JCP program will be made available upon request. The report was disseminated to Aiken, Richland, and York counties to share information regarding access to STAPs and best practices from county to county.

The JCP team consisted of Director Whittle, Deputy Capps, and Christian Gorchow, LMSW and Ph.D. candidate during the course of this grant. The team did not apply to extend its grant for a second year, but the DCA will use this information to continue advocating for services and rehabilitation for justice-involved youth.

## EXTERN PROGRAM

In 2020, Deputy Capps established a relationship with the University of South Carolina School of Law to create the extern program. The DCA has had nine legal externs between Fall 2020 and Summer 2022, including two during FY22. All have been third-year law students who are enrolled in the Children's Law Concentration program at the law school.

In exchange for school credit, the externs provide research and logistical support to the DCA. In FY22, projects included:

- Conducting research on ethical considerations and creating packets outlining the juvenile justice process. This information was given to the Investigations Unit as a reference tool, providing them with a stronger understanding of the programs they are tasked with investigating.
- Ensuring critical incident logs are up-to-date and pulling data for the DCA's annual accountability report, which will be submitted to the Governor and the General Assembly in August 2022.
- Processing JCP data and coordinating meetings in the pilot counties to discuss and review findings.

The externship program allows the DCA to ensure new lawyers have an awareness and understanding of not only the DCA, but also the overall system of care provided by child-serving agencies.



**Left:** Deputy Capps and Director Whittle were invited guests to the awards and recognition ceremony for graduates who earned the University of South Carolina School of Law's Children's Law Concentration.

**Right:** Capps presented the 2022 Distinguished Children's Law Concentration Student award to former extern Brittany Roberts.



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## INVESTIGATIONS UNIT

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The Investigations Unit (IU) is an integral part of establishing an objective system for reviewing and evaluating services that will improve outcomes for children. It is led by Unit Director Laurie Davidson and includes state office investigative staff. The information they collect helps the DCA and other agencies provide better services and assists the State Child Advocate in promoting and advocating for a broad vision of reform, including recommendations for improvement.

### *In FY22, the Investigations Unit investigated 606 complaints from the public.*

IU receives, refers, investigates, and/or monitors complaints against nine child-serving state agencies. In individual cases, the IU team advocates for services that children should be—but are not—receiving. It also identifies areas needing improvement on a systemic level and brings those deficiencies to the attention of agency leadership. Complaints are received by telephone, email, or via the DCA website. IU is required to transfer a complainant to the appropriate agency if the submission is related to abuse or neglect.

In FY22, the IU received **2,126** complaints, resulting in **606** cases that were investigated.

In situations that exceeded IU's scope, the IU team provided necessary information to constituents, including referrals to the appropriate state agencies or community organizations that could help resolve their concerns.

Of the **606** complaints against state agencies that were investigated:

- In **158** cases, IU identified inadequate deficiencies that were successfully remedied
- In **44** cases, IU identified inadequate deficiencies that were not remedied
- In **207** cases, IU did not identify any inadequate deficiencies
- **50** cases were closed after ongoing monitoring efforts were completed
- **147** cases were still open and carried over into FY23

The IU team strives to serve in a collaborative role with stakeholders and is in regular communication with state agency leadership regarding any deficiencies, trends, and/or concerns regarding the lack of services for children. IU helps to resolve these issues on an individual case basis and on a systemic level.



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## SITE VISITS

IU conducted numerous site visits, including tours and meetings with staff and youth, at the following locations in FY22:

- Broad River Road Complex (BRRC)
- Juvenile Detention Center
- Midlands Evaluation Center
- SC School for the Deaf and Blind
- William S. Hall Psychiatric Institute
- Wil Lou Gray Opportunity School

The primary goal in conducting visits is to ensure that children are receiving adequate services from state agencies. In addition, visits raise awareness of the IU, the services it provides, and how to file a complaint. Hundreds of posters highlighting the IU in both English and Spanish were provided and displayed in common areas during site visits to state and local agencies and organizations across South Carolina.

Another goal is to learn about additional resources that can be added to the Resource Library on our website and provided to constituents who call the hotline. IU is always looking for new resources to help South Carolinians find appropriate services for their children.

The team will continue to travel across the state in FY23, visiting legislatively defined state agencies, DSS county offices, as well as stakeholders and service providers.

## STAFFING

As of June 30, 2022, the team consists of two full-time investigators and IU Director Laurie Davidson. Deputy Child Advocate Kayla Capps and Agency Director Amanda Whittle continue to be significantly engaged with IU's work regarding concerns about individual children, as well as systemic concerns. At the end of FY22, plans were underway to hire and onboard an intake specialist during FY23.

## TRAINING

During 2022, the IU team participated in professional training to enhance their knowledge, skills, and abilities regarding child-related investigations. Training sessions included:

- Mandated reporter training through the Children's Law Center
- Regional and annual professional development sessions with the Foster Care Review Division
- Customer service training
- DJJ children's code training

The entire unit maintained their credentials to access the Juvenile Management System as well as DSS's Child and Adult Protective Services System (CAPSS).



## CRITICAL INCIDENT NOTIFICATIONS

Critical incidents are handled directly by Systems Improvement. In FY22, Deputy Capps continued to be the primary point of contact for all CI notifications, with assistance from Director Whittle.

A critical incident is defined as:

***A fatality, near-fatality, or serious bodily or emotional injury of a child who is in the custody of or receiving services from a state agency, or circumstances that result in a reasonable belief that a state agency failed in its duty to protect a child, resulting in the imminent risk or suffering of serious bodily or emotional injury, or death of a child.<sup>1</sup>***

The DCA takes this responsibility very seriously and has worked closely with all child-serving agencies to ensure they are aware of both the requirement to report critical incidents to the DCA, but to also do so within the statutory 24-hour time frame.<sup>2</sup> FY22 saw growth in all areas of compliance, detailed right and on the opposite page.

### CRITICAL INCIDENT NOTIFICATIONS<sup>†</sup>

Table 11

Agency	FY20	FY21	FY22
DSS	15	62	60
DJJ	15	15	299*
DMH	-	-	19
DHEC	-	-	17**
DHHS	-	-	22**
<b>TOTAL</b>	<b>30</b>	<b>77</b>	<b>417</b>

### 24-HOUR RESPONSE TIMES IN FY22<sup>†</sup>

Table 12

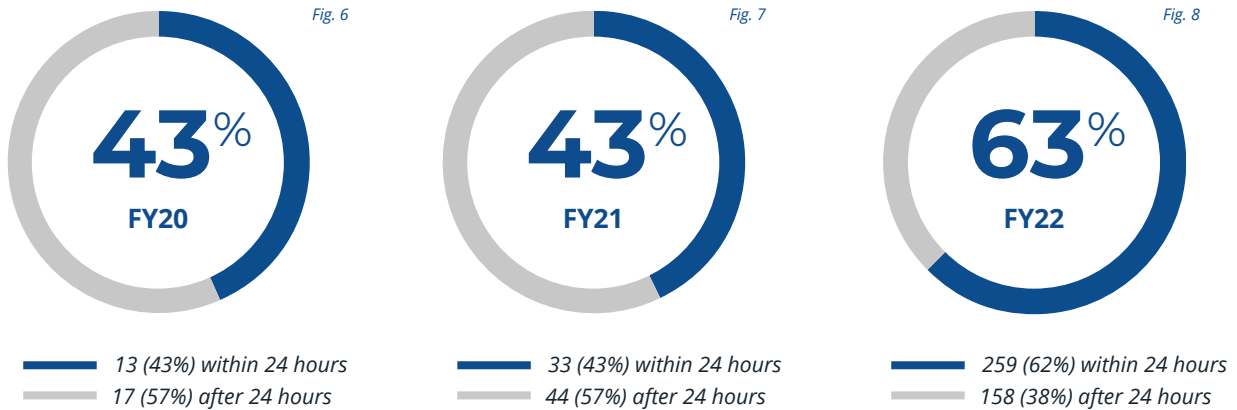
Agency	Notifications	Within 24 hours
DSS	60	19
DJJ	299	217
DMH	19	7
DHEC	17	15
DHHS	22	1
<b>TOTAL</b>	<b>417</b>	<b>259</b>

## TOTAL CRITICAL INCIDENT NOTIFICATIONS BY FISCAL YEAR

Fig. 5



## TOTAL CRITICAL INCIDENT NOTIFICATION RESPONSE TIMES BY FISCAL YEAR



### CRITICAL INCIDENT NOTIFICATIONS

**↑542%**

In FY22, 417 CI notifications were received, compared to 77 in FY21 and 30 in FY20. This represents a more than 500% increase year over year and a 1,390% increase over the DCA's first year in existence [Fig. 5](#). The dramatic rise in notifications does not necessarily indicate there was an equivalent uptick in critical incidents occurring in FY22. Rather, the increase could be attributed to other factors, including the potential differences in an agency's definition of "critical incident" prior to the creation of the DCA and/or heightened awareness of the requirement to report these incidents to the DCA.

### AGENCIES REPORTING

**5 of 9**

In FY22, the number of agencies reporting critical incidents grew from two (DSS and DJJ) to five (DSS, DJJ, DMH, DHEC, DHHS) [Table 11](#). DCA regularly meets with agency leadership to discuss specific cases and systemic improvement.

### RESPONSE TIME FRAME

**+20%**

Compliance with the 24-hour reporting time frame jumped from 43% in FY20 and FY21 to 63% in FY22 [Fig. 6-8](#). DHEC led the way, submitting 88% of its incidents (15 of 17) within the time frame, followed by DJJ with 73% (217 of 299) [Table 12](#).

<sup>1</sup> SC Code of Laws Ann. Section 63-11-2230. <sup>2</sup> SC Code of Laws Ann. Section 63-11-2280. \* 281 of these cases were reported in the 2nd half of FY22. \*\* All of these cases were reported in the 2nd half of FY22. <sup>†</sup> Child-serving agencies that have never reported a case (DDSN, the School for the Deaf and Blind, John de la Howe, and Wil Lou Gray) are not represented. A dash "-" indicates that no cases were reported.

## IN RESPONSE TO THE RISE IN CRITICAL INCIDENT NOTIFICATIONS

"We knew we had to expand our team to create capacity in response to the sharp increase in critical incident notifications in FY22," said State Child Advocate Amanda Whittle, referencing the 542% increase in notifications the agency received over FY21. "The existing structure was not sustainable to meet children's needs."

The dramatic rise amounts to 417 reports made between July 1, 2021 and June 30, 2022, which compares to only 77 made during the previous 12-month period [Fig. 5](#). Due to statutory requirements regarding critical incidents, these notifications were directed to Whittle and Deputy Child Advocate Kayla Capps.

Whittle believes that the growth is due to the greater awareness and strengthened relationships between the DCA and the nine child-serving agencies who are required to report critical incidents. With no sign of slowing down, she and Capps are taking action to set up a new unit within the agency to include new personnel, protocols, and software to better handle the influx.

The Critical Investigations Unit will launch in FY23 and will be solely dedicated to reviewing and investigating critical incidents. "We will be hiring an assistant child advocate whose job will be to log and triage these reports as they come in. He or she will take the lead on many of the cases, and Director Whittle and I will step in to assist with the remaining ones," said Capps. "We're also investing in a new software system that is expected to roll out in Spring 2023. It's based on the same system that our Investigations Unit uses and will help us track each incident, as well as more easily parse the data to identify trends and areas of concern that we can then work on mitigating at a policy or agency level."

The first step was to create a dedicated notification email, [CINotifications@childadvocate.sc.gov](mailto:CINotifications@childadvocate.sc.gov), which will centralize reporting, increasing efficiency for each case.

"The expansion of DCA's System Improvement team to include the Critical Investigations Unit will allow us to meet the growing demands of reported critical incidents," said Capps. "We're very excited to be making these changes now, knowing that we will soon be in a much better position to respond to the needs of children in the state's care."

<b>DHHS</b>		<b>22</b>
<b>Fatality</b>		<b>1</b>
Suicide	1	
<b>Near Fatality</b>		<b>4</b>
Attempted Suicide	4	
<b>Physical Assault</b>		<b>5</b>
Staff	1	
Youth	4	
<b>Sexual Assault</b>		<b>2</b>
Youth	2	
<b>Physical Injury</b>		<b>7</b>
Self	6	
Staff	1	
<b>Elopement</b>		<b>3</b>

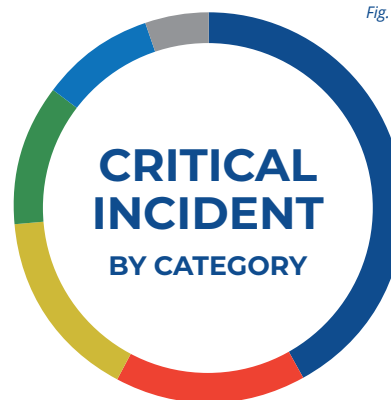
<b>DHEC</b>		<b>17</b>
<b>Near Fatality</b>		<b>2</b>
Attempted Suicide	1	
Severe Bodily Injury	1	
<b>Physical Assault</b>		<b>3</b>
Staff	1	
Youth	2	
<b>Elopement</b>		<b>12</b>



Fig. 9

<b>DMH</b>	<b>19</b>
<b>Near Fatality</b>	<b>4</b>
Attempted Suicide	2
Medically Fragile	2
<b>Physical Assault</b>	<b>8</b>
Staff	5
Other Youth	3
<b>Sexual Assault</b>	<b>4</b>
Staff	1
Other Youth	3
<b>Physical Injury</b>	<b>2</b>
<b>Elopement</b>	<b>1</b>

<b>DJJ</b>	<b>299</b>
<b>Fatality</b>	<b>1</b>
Gunshot Wound	1
<b>Near Fatality</b>	<b>21</b>
Attempted Suicide	19
Severe Bodily Injury	1
Gunshot Wound	1
<b>Physical Assault</b>	<b>157</b>
Staff	3
Youth	154
<b>Sexual Assault</b>	<b>14</b>
Staff	3
Youth	11
<b>Attempted Sexual Assault</b>	<b>9</b>
Staff	2
Youth	7
<b>Self Harm/Injury</b>	<b>6</b>
<b>Suicidal Ideation</b>	<b>40</b>
<b>Substantial Risk of Injury</b>	<b>49</b>
Staff	9
Other Youth	40
<b>Emotional Injury/SR of EI</b>	<b>1</b>
<b>Elopement</b>	<b>1</b>



- 175 (42%): Physical Assault
- 66 (16%): Fatality/Near Fatality
- 66 (16%): All Other Categories
- 49 (12%): Substantial Risk of Injury
- 40 (10%): Suicidal Ideation
- 21 (5%): Sexual Assault

<b>DSS</b>	<b>60</b>
<b>Fatality</b>	<b>33</b>
Car Accident	1
Drowning	1
Drug or Alcohol Exposure	5
Fire	1
Gunshot Wound	3
Medically Fragile	9
Severe Bodily Injury	5
Suicide (Gunshot Wound)	1
Unsafe Sleep	5
SUID/SIDS	2
<b>Severe Physical Injury</b>	<b>20</b>
Car Accident	4
Drug or Alcohol	3
Gunshot Wound	2
Medically Fragile	1
Near Drowning	1
Severe Bodily Injury	9
<b>Sexual Assault</b>	<b>1</b>
<b>Child in Danger</b>	<b>3</b>
<b>Physical Assault</b>	<b>2</b>
Youth	2
<b>Elopement</b>	<b>1</b>

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## CHILDREN'S ADVOCACY INTERAGENCY SUMMARIES

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The DCA works diligently to create and strengthen relationships with other state agencies and looks for collaboration opportunities that will lead to better outcomes for children. Summaries regarding interaction with the nine child-serving agencies are provided below.

### DEPT. OF DISABILITIES AND SPECIAL NEEDS (DDSN)

#### *Residential Habilitation Services:*

The DCA regularly advocates for services for children and adolescents with intellectual disabilities, related disabilities, and autism. Some of these children are at home with their parents and guardians, and some are in the care of the Department of Social Services or the Department of Juvenile Justice. DJJ-committed youth with serious intellectual disabilities should be transferred to DDSN for placement and services, pursuant to state statute (SC Code of Laws Ann. Section 63-19-1450).

However, DDSN does not have any state-operated facilities for these children, forcing them to be referred to—and often rejected by—private facilities, both in- and out-of-state. The array of available private facilities does not meet the state's current needs even before tackling placement of justice-involved youth.

A seasoned county disability board member, who asked to remain anonymous but has been part of DDSN's services for 26 years, says residential habilitation has always been a struggle.

Just as the state focused attention on DJJ's seriously mentally ill population through the approval of a PRTF during the 2022 legislative session, so now must DDSN prioritize placement and services for seriously intellectually disabled children, allowing these children to stay near their homes and communities and connected to a continuum of treatment providers to address their short- and long-term needs.

The DCA recommends that DDSN immediately prioritize the development of strategies for short-term, intermediate, and long-term habilitation services for children. We were encouraged when, in the spring of 2022, DDSN Director Dr. Michelle Fry amended the agency's budget request to ask for state allocated funding to procure such residential services.

#### *Autism and ID/RD Waiver Services*

Pursuant to statute, DDSN is the lead agency for autism services in South Carolina. As such, DCA recommends they prioritize the development of an efficient and timely process for identification, diagnosis, and service delivery for children diagnosed with autism, intellectual disabilities, and related disabilities. During 2022, Fry created and filled a new position of Autism Program Manager to create capacity to expand DDSN's autism services.

#### *Day Treatment Services*

In its FY21 annual report, the DCA discussed concerns with DDSN's compliance with S.C. Code of Laws Ann. Section 44-20-710, which states, "No day program in part or in full for the care, training, or treatment of a person with intellectual disability, a related disability, head injury or spinal cord injury may deliver services unless a license first is obtained from [DDSN]." This applies to day programs for children as well as adults.

DCA is pleased to report DDSN, under Fry's leadership, began in 2022 to establish capacity to license, monitor, respond to critical incidents, and ensure ongoing quality assurance for part-time and/or full-time day programs as described in the statute.

## DEPT. OF HEALTH & ENVIRONMENTAL CONTROL (DHEC)

### *Multi-Agency Collaboration for Justice-Involved Youth:*

The DCA regularly participates in interagency staffings, site visits, and court hearings concerning justice-involved youth with severe and persistent mental illness.

In 2022, Dr. Edward Simmer, a board-certified psychiatrist and director of DHEC, heard about DJJ's need for psychiatric services at the Broad River Road Complex. He volunteered to assist, providing much-needed psychiatric services to justice-involved youth on top of his duties as an agency head.

### *Infant Formula Shortage*

During the infant formula shortage that began in February 2022, DHEC responded by creating a webpage focused on the latest information about the scarcity and providing resources for families seeking formula. DCA was able to share this vital information with citizens who were dealing with fallout from the shortage.

### *Birth Certificate Legislation*

On May 23, 2022, Senate Bill 1025 was signed into law, expanding the definition of "legal representative" and altering the process for obtaining birth certificates. This new law helps kinship caregivers enroll children in daycare and school, obtain medical records, or add them to health insurance without the child's birth certificate. It also helps homeless youth who need access to their birth certificates to obtain ID cards or driver's licenses, or for educational or medical purposes, as well as other legal representatives who work with homeless youth. The new law promotes agency coordination by streamlining the process between DSS and DHEC for obtaining birth certificates for youth in foster care. Before this bill passed, access to a minor child's birth certificate was limited to a parent, legal guardian, or other legal representative.

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## DEPT. OF HEALTH & HUMAN SERVICES (DHHS)

### *Palmetto Coordinated System of Care 1915(C) Medicaid Waiver*

Medicaid is the healthcare coverage provider for 600,000 children in South Carolina, and DHHS is the state's Medicaid agency.

The DCA works closely with DHHS through implementation of a 1915(C) waiver that approves Continuum of Care, a division of the DCA, as the state's sole provider of High Fidelity Wraparound intensive care coordination to youth with serious emotional and behavioral challenges. These services allow youth to stay in their homes, schools, and communities and avoid (or transition from) higher levels of care such as acute inpatient and psychiatric residential treatment facilities (RTF or PRTF).

The waiver provides a sustainable reimbursement rate, and services are provided at no cost to families. More information about these services can be found in the Continuum of Care section of this report on page 20.

### *Multi-Agency Collaboration for Justice-Involved Youth*

Director Whittle has been instrumental in collaborating with other agency heads to identify and resolve placement and service gaps for children's behavioral health needs. In November 2021, and updated in January 2022, she prepared and provided a report to DHHS regarding a proposal to increase psychiatric residential treatment facility (PRTF) capacity for children in South Carolina. In February 2022, DHHS Director Robert Kerr and Whittle testified before a legislative subcommittee hearing concerning the state's needs and projected costs for a state-operated PRTF.

### *Medical Care Advisory Committee (MCAC)*

The MCAC advises DHHS about health and medical care services and provides guidance regarding marketing policies required of Medicaid managed care organizations. Important policy updates are shared through this committee, including a rate increase for residential providers in May 2022, as well as the discontinuation of the Rehabilitative Behavioral Health Services (RBHS) moratorium that goes into effect July 2022. Director Whittle has served as an appointed member of the MCAC since 2019.

### *Helping Families*

The DCA has collaborated with DHHS on multiple occasions to help families in need, and DHHS has proven to be very responsive.

In the summer of 2022, DCA received a complaint regarding a child placed at a PRTF in need of a step-down placement. The parents were having difficulty identifying and obtaining the appropriate placement for their child who suffered from multiple mental disorder diagnoses.

Director Whittle reached out and received great assistance from DHHS Chief of Staff Eunice Medina. The child was covered by Medicaid, and DHHS assisted with coordinating communication between the Medicaid managed care organization, the provider, and the family to secure appropriate placement.

On another occasion, Whittle learned about a child in need of secure transportation from one placement to another, and again reached out to DHHS for assistance. Within hours, DHHS and DCA worked with the providers and the family to resolve the issues and have the child safely transported. Special thanks to Medina, Lauri Hammond, and Amye Josselyn-Keye at DHHS for their assistance.



## DEPT. OF MENTAL HEALTH (DMH)

### **SC Placement and Service Array for Children**

The DCA recommends that DMH prioritize a comprehensive array of mental health services and placements for children and adolescents based on the information in this report.

The DCA has worked closely with DMH and other individuals, agencies, and organizations to identify priorities and advocate for resources to improve children’s mental health services in South Carolina. Director Whittle created the “South Carolina’s Placement and Service Array for Children” flyer in March 2022 to illustrate her broad vision for a robust array of mental health placement and services.

#### *Highest Level of Care:*

Within the highest level of care, our state has one state-operated acute psychiatric facility for children: the William S. Hall Psychiatric Institute (WSH), an inpatient hospital licensed for 51 beds with a 25 bed capacity.

Our state has eight private Psychiatric Residential Treatment Facility (PRTF) providers and no state-operated facility. As outlined in this report, work is underway to create a state-operated PRTF for seriously mentally ill, justice-involved youth. That is a long-term plan, which will take up to two years to design, build, and become operational.

In the interim, DCA worked with DJJ, DMH, and DHHS in 2022 to develop short-term and intermediate plans for providing mental health services to youth at the PRTF level of care. DMH created a plan to use a previously-closed lodge at WSH where DJJ could move youth when DMH could not secure placement at an in-state private PRTF. However, due to staff shortages, the existing milieu at WSH, and the behavioral issues of justice-involved youth, the intermediate plan has been a challenge to implement.

#### *Transition/Step-Down Placements:*

South Carolina has no state-operated transition/step-down placements for psychiatric rehabilitation for children and adolescents. As a result, children are discharged from the highest level of care to their homes and communities with wraparound services in place and/or with a referral to follow up with their local community mental health clinic. When families need more support than intensive in-home or outpatient services can provide, children typically return to emergency departments—or their parents contact DSS or law enforcement for assistance—within days or weeks of discharge.

#### *Intensive Community-Based Services:*

DMH offers intensive community-based services including Multi-Dimensional Family Therapy (MDFT) and has two grants, Roads of Independence and FOCUS, which support community-based services.

#### *Prevention Services:*

The DCA engages in prevention services through its Continuum of Care division and through the support of programs aimed at safely providing services for children and youth in the least restrictive setting based on their needs. Ideally, children should be supported while remaining in their homes, schools, and communities, so long as it is safe and appropriate.

Director Whittle is a member of the Suicide Prevention Coalition led by DMH’s Office of Suicide Prevention (OSP) and is a member of the SAMHSA SC 988 Comprehensive System of Care Grant Advisory Board. She has provided leadership and awareness regarding the upcoming launch of 988 in July 2022, including creation of a 988 poster to provide information about 988’s purpose and needs.

## DEPT. OF JUVENILE JUSTICE (DJJ)

The DCA recommends ongoing focus on the seriously mentally ill and intellectually disabled youth who are committed to DJJ, as well as additional detention capacity to address the overcrowding at the Juvenile Detention Center.

### **Psychiatric Residential Treatment Facility**

In January 2022, Director Eden Hendrick requested \$20 million at the agency’s FY23 budget hearing to build a state-operated Psychiatric Residential Treatment Facility (PRTF) for seriously mentally ill justice-involved youth. The PRTF would create capacity for youth who are being inappropriately committed to DJJ’s Broad River Road Complex due to lack of placement options.

Director Whittle joined DMH and DHHS directors to testify in favor of the funding request, which was approved in May 2022.

### **Safety and Movement**

The DCA has supported Director Hendrick’s efforts to promote rehabilitation programs including education, mental health treatment, and activities in an environment that is safe and clean for both youth and juvenile correction officers at DJJ’s secure facilities.

DJJ serves youth in the community, but youth placed in secure settings are the focus of much of the DCA’s attention.

DJJ's Juvenile Detention Center (JDC) in Columbia experienced significant overcrowding in 2022 due to the closing of the Greenville and Charleston youth detention centers, staffing challenges, and an increase in violent crime. During 2022, Hendrick explored several strategies to reduce the population at JDC, including assigning staff to monitor and provide detention center capacity to her, addressing the waiver backlog, and promoting alternatives to detention for status offenders. Despite these efforts, JDC remained over capacity during FY22.

### **Rehabilitative Services**

During 2022, DJJ continued its efforts to open a new residential setting called Gateways on its Shivers Road campus for youth with serious mental illness who do not qualify for a PRTF or other acute level of care. Gateways is an all-inclusive residential setting that includes classrooms, cafeteria, sleeping quarters, and outdoor activity areas that can serve up to 12 youth. It will provide them with treatments to promote rehabilitation. DJJ's psychiatrist provides services to youth at BRRC as well as Gateways. The DCA coordinated with DJJ, DSS, and the fire marshal to help Gateways receive its license. DJJ anticipates Gateways will provide youth with a continuum of care to promote treatment and rehabilitation.

Special thanks to those who supported and worked diligently for **many years** to develop the program.

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## **DEPT. OF SOCIAL SERVICES (DSS)**

### **Legislative Advocacy:**

DCA was pleased to join DSS's legislative advocacy efforts and provide testimony for two important pieces of legislation that successfully made their way through the General Assembly to the Governor's desk in FY22:

- **Extension of Foster Care Act (H.3509)**, which went into effect on April 25, 2022, enables certain children in DSS custody on their 18th birthday to continue receiving services and support from the department until they turn 21.
- **Kinship Care Act (S.222)**, which was enacted on May 16, 2022, makes fictive kin eligible to be foster parents under DSS's Kinship Foster Care Program. It also allows fictive kin to foster a child before being fully licensed under certain circumstances.

Director Mike Leach has been a strong supporter of this and other legislation since taking the helm at DSS in 2019. Without a doubt, the most impactful testimony was from the youth who

experienced foster care and could testify first-hand about the impact this legislation would have on future children.

### **Safe Sleep Summit**

The Safe Sleep Summit was coordinated in large part by Michelle Cunningham, who is dually employed with DSS and the Department of Alcohol and Other Drug Abuse Services (DAODAS).

The majority of preventable fatalities for infants or children under the age of one are sleep-related. The DCA participated in the summit, and Governor Henry McMaster proclaimed October 2021 as Safe Sleep Awareness Month.

The State Child Fatality Advisory Committee, South Carolina Law Enforcement Division, Coroners' Association, DHEC, DHHS, DAODAS, Upstate AHEC, DSS, and DCA all contributed to the summit and communicated a clear and consistent message to raise awareness about safe sleep.

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## **SC SCHOOL FOR THE DEAF & THE BLIND (SCSDB)**

The DCA received one complaint and no critical incident reports about SCSDB in FY22. In response, Director Whittle made an unscheduled visit to the school on April 19, 2022, and met with SCSDB President Jolene Madison, staff, and children. After a full investigation, the complaint was closed with no concerns about the services provided to children by SCSDB.

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## **WIL LOU GRAY OPPORTUNITY SCHOOL (WLG)**

Investigations Unit Director Laurie Davidson and members of the Investigations Unit team met with Pat Smith, executive director of the Wil Lou Gray Opportunity School, at the school's campus on March 15, 2022. There were no complaints about or critical incidents reported from WLG in FY22.

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## **GOVERNOR'S SCHOOL OF AGRICULTURE AT JOHN DE LA HOWE (JDLH)**

The DCA plans to visit JDLH, a state-funded public residential high school, in the fall of 2022. There were no complaints about or critical incidents reported from JDLH in FY22.





During 2022, State Child Advocate Amanda Whittle began pursuing a Certificate of Graduate Studies in Psychiatric Rehabilitation through the University of South Carolina School of Medicine's Neuropsychiatry Department.

This course of study is not funded by the state. Director Whittle has personally assumed the time and costs of this certificate to strengthen her knowledge and make more informed recommendations that will improve services and outcomes for children in South Carolina.



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## COMMUNITY ENGAGEMENT

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The State Child Advocate regularly engages with other leaders and community advocates to learn, share, and create opportunities for ongoing communication, information-sharing, and coordination through meetings, hearings, conferences, and communications.

### **SERVING ON THE:**

- Attorney General's Human Trafficking Task Force
- Bench Bar Committee (ex officio member)
- Children's Justice Act Task Force (member)
- Communities of Care External Advisory Committee
- Governor's Juvenile Justice Advisory Committee
- Joint Citizens and Legislative Committee on Children
- Joint Council for Children and Adolescents
- Master Plan Advisory Committee
- Medical Care Advisory Committee
- Safe Babies Court State Leadership Team
- SAMHSA SC 988 Comprehensive System of Care Grant Advisory Board
- SC Bar Children's Law Committee
- SC Behavioral Health Coalition
- State Child Fatality Advisory Committee (Chair)
- Suicide Prevention Coalition
- U.S. Ombudsman Association, Child and Family Chapter

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### **ATTENDING TRAINING AND COMMUNITY EVENTS:**

- Aiken-Barnwell Mental Health Visit
- Children's Law Center Annual Conference
- Coalition for Juvenile Justice Conference
- Department of Juvenile Justice Graduation Ceremony
- Department of Juvenile Justice Meet the Artist
- Site visits and court hearings
- U.S. Army, Fort Jackson
- U.S. Ombudsman Association, Child and Family Chapter
- University of South Carolina School of Law (ceremony guest)

### **PRESENTING/SPEAKING AT THE:**

- Child Abuse Prevention Month press conference
- Children's Advocacy Centers Day press conference
- DCA agency-wide training sessions
- DCA's Continuum of Care statewide annual meeting and regional meetings
- DCA employee appreciation ceremony
- DCA executive leadership meetings
- DCA Foster Care Review Board state board meetings and annual conference
- DCA Guardian ad Litem Program regional trainings and meetings
- Legislative delegation meetings and subcommittee hearings
- Medical University of South Carolina 38th Annual Judges and Attorneys Conference (facilitator)
- Safe Sleep Summit
- SC Bar Convention 2022
- SC Bar Hot Tips from the Coolest Domestic Practitioners
- University of South Carolina School of Social Work (guest lecturer)

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### **ADDITIONAL COMMUNICATIONS EFFORTS:**

- DCA's The Advocate newsletter
- DCA's social media channels
- Media interviews, articles, and press conferences
- S.C. Lawyer Magazine



## CONTACT US

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