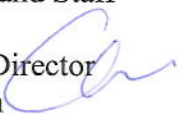


DEPARTMENT OF HUMAN RESOURCES
SOCIAL SERVICES ADMINISTRATION
311 WEST SARATOGA STREET
BALTIMORE, MARYLAND 21201

DATE: August 16, 2010

POLICY #: SSA #11-07

TO: Directors, Local Departments of Social Services
Assistant Directors of Social Services
Local Department of Social Services
Resource Unit Administrators and Staff

FROM: Carnitra D. White, Executive Director
Social Services Administration 

RE: Additional Background Checks for Potential Foster
Parents

PROGRAMS AFFECTED: Out-of-Home Placement Services (Foster Care Services)
and Resource Units

ORIGINATING OFFICE: Resource Development Placement and Support Services

ACTION REQUIRED OF: All Local Departments

REQUIRED ACTION: Implement policy and procedures when responding to
requests for Foster Home Approval and Re-approval

ACTION DUE DATE: September 2, 2010

CONTACT PERSON: Patricia Molineaux, LCSW-C
Resource Development Placement and
Support Services
410 767-7915

Purpose

Safety has always been a priority for children in out of home care. The purpose of this policy directive is to provide instruction on utilizing newly available tools which allow us to conduct verifications in the initial home study process to further ensure safety of children placed in Maryland's public foster homes.

Background

The newly mandated verifications described in this policy directive will be in addition to the Criminal Background Checks and the Child Protective Services Clearances as mandated in COMAR and are tools to solicit additional information. Since COMAR 07.02.25.05 was written, a number of tools have become available which provide additional information that will help identify issues for discussion with prospective foster parents (mortgage defaults, etc.) or issues which should eliminate those prospects entirely from approval as foster parents.

All of the following tools should be used to conduct background checks when considering initial approval of a resource home. Each adult member of the resource family and any adult frequent visitors should be checked using these tools.

Enhanced FBI Clearance Report—Starting in October 2010, local departments will be getting the complete federal rap sheet from the FBI when fingerprints are submitted for anyone in the State who works with children. This will give local departments a lot more information in cases where there have been offenses. There are federal laws regarding the handling of this information which local departments will have to obey, including laws regarding the storage and disposal of this information. This information will come directly over the internet to a designated receiver in each local jurisdiction. The information remains available to this designated individual for one week, then disappears, and cannot be retrieved.

Later this summer, the Maryland Criminal Justice Information System will hold informational meetings for local department staff who handle this information.

Maryland Sex Offender Registry—this is a listing of all convicted sex offenders registered in the State of Maryland. They are registered by name and by zip code. The staff member who is responsible for these background checks should follow these directions:

1. Enter Maryland Sex Offender Registry in your search engine.
2. Enter the first and last name of the person you wish to check in the boxes provided.
3. Under **Search For**, choose **All Offender Types**. Press the Bar which reads **Search by Name**

4. You may have to check the address to be sure it is the right person if one or more than one person by that name is identified.

The Maryland Sex Offender Registry should be checked at initial approval and at each subsequent reconsideration.

MVA Driver's History—This resource may identify a person or persons whose driving record is such that it would make it unsafe for a child in the custody of the State to be in a car driven by that person. Currently, DHR has agreements with MVA that this history may be checked by benefits workers and by Child Support workers, but not for the purpose of checking driver's history of potential or current foster parents.

At this time, potential foster parents must be asked to download an unofficial copy of their own driver's record, and submit it to the local department. DHR is working on a Memorandum of Understanding which would allow us to use the MVA website to check this information directly.

The MVA Driver's History should be checked for all the drivers in a resource home who will drive any child in the custody of the State.

Investigative Search Engines—Many local departments currently have access to a subscription tool which allows government agencies to locate people and authenticate their identities. The subscription services can verify such essential personal information as name, previous addresses, and Social Security Number or Federal Identification number. They also allow the users to verify professional licenses, legal standing, and criminal records. Some of these subscription services use non-public information as well as public records.

The use of these tools will make it possible to ensure that local departments are checking Protective Service Records for any address at which a prospective foster parent has lived during the last five years. If a person has used another name, this technology should help to spot it. Foreclosures and bankruptcies, which may be an indication that a potential resource parent cannot support his/her own family of origin, may also be indicated.

The State is considering a contract with a provider of these services specifically for Child Welfare applications. If and as soon as local departments have access to such a tool, it should be used to check each applicant during the home study process.

Judiciary Case Search—This resource provides an up-to-the-minute listing of information available to the public regarding civil and criminal cases in the State of Maryland. This information includes defendant name, city and state, case number, date of birth, plaintiff name (civil cases only), trial date, charge, and case disposition. This information is not always accurate, nor is it consistent across all counties, but it is being

upgraded constantly. The staff member who is responsible for these background checks should follow these directions:

1. On your computer's search engine:
 - Type Maryland Judiciary Case Search, or
 - Casesearch.courts.state.md.us/inquiry/inquiry-index.jsp
2. After reviewing the information and the acceptance agreement criteria:
 - Check the box at the bottom of the page, indicating acceptance of the agreement to use the Maryland Judicial Case Search tool.
 - Click the button marked "continue".
3. After reaching the "Search Criteria" page:
 - Click the button marked "person".
4. In the boxes provided:
 - Type in the complete name of the person being searched.
 - Click the button marked "exact match".
5. In the spaces provided, click on:
 - "Default All"
 - "All Case Types"
 - "Both Circuit and District Courts"
6. Fill in the date range using the format provided:
 - (MM/DD/YYYY)
7. Click the button marked "search".
8. Review the Maryland Judiciary Case Search Results.
(You may receive up to 500 results for a specific name. Be as specific as you can regarding the resource parent or other adult you are checking. Click the "DATE OF BIRTH" Button, and all birthdates will appear in chronological order. You can then check the birth date for the person in question, and be fairly sure you are getting correct information. Note that there are no birthdates for many listings, which make it very difficult to sure you are considering the record of the person in question.)
9. Determine what, if any, information listed in this resource is pertinent to the safety of children. There will be information where the person is the victim, and there will be civil cases which have nothing to do with the safety of children. Common sense and clinical training will be necessary in some cases to differentiate.

- Check the case type. You may want to check Traffic Court to see if a license has been suspended, and civil cases to see if there is an implication that the family cannot support itself.
 - All Criminal listings should be checked if the named person is the defendant.
10. If you want more information about a listing, then go back to the initial screen, and enter the Case number at the bottom of the screen. You will get more information, including the disposition of the case.
11. This is public information. If you find information in this resource which concerns you, discuss it with the foster parent. There is a possibility that there is incomplete or incorrect information.
12. If in doubt, check with your supervisor.

Maryland Judiciary Case Search should be checked during the homestudy before the initial approval and at each recon.

A more detailed background check on potential and current providers will create a more complete picture of prospective foster parents and their ability to appropriately care for our children. The consistent use of the Maryland Judiciary Case Search, Sex Abuse Offenders Registry, MVA Driver Histories, search engines which provide address histories, and the enhanced FBI Clearance Reports from CJIS will provide additional information to make decisions about the use of a particular home that better ensures the safety of children in foster care.