MANDATED DEMOCRACY: INFORMATION, PARTICIPATION, AND THE PROSPECTS FOR PUBLIC EMPOWERMENT

Neal Doyle Buckwalter

Submitted to the faculty of the University Graduate School in partial fulfillment of the requirements for the degree Doctor of Philosophy in the School of Public and Environmental Affairs, Indiana University December 2012
Accepted by the Graduate Faculty, Indiana University, in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

______________________________
Michael McGuire, Ph.D.

Doctoral Committee

Sergio Fernandez, Ph.D.

November 26, 2012

James L. Perry, Ph.D.

David Reingold, Ph.D.
To my family. Thank you for your unfailing love and support.
ACKNOWLEDGEMENTS

Without a doubt, writing these acknowledgements is a daunting task. Like others who have done this, I face two stark realities. First, time and space limits dictate that I cannot personally name each individual who has helped me reach this important milestone; the list is too overwhelming. Second, nothing I could say would adequately expressing my gratitude to the many people whose lives have so greatly touched my own on this path. Even if I do fall short, I can think of no more appropriate way to add the finishing touches on the dissertation than to engage in an exercise of thoughtful reflection and expression of thanks.

I must begin with my dissertation chair. Dr. McGuire is a true friend and mentor. The best choice I made in this program was when I approached him to be my advisor and chair. He has spent countless hours helping me with this dissertation and with other aspects of my career development. Our conversations have taught me much about public administration and the academy, but with a heavy dose of life, family, and baseball included. I admire him for his ability to draw out the best in people. I hope he will forgive me for quoting from an email he sent me some time ago, but it is perhaps the best summation of what he has done for me. I had written something about working with my son’s basketball team, and being so pleased to see the young kids making progress on their individual and team skills. He responded: “There is nothing like seeing a kid or a team after a light bulb comes on. When I coached my boys’ baseball teams, I took the most joy from seeing a kid scared of the baseball during the season, then getting three hits in the last game. Triumph over obstacles, whatever they may be, is the best feeling of all.” That is the truth. I was that scared kid. Thanks Coach.
I would also like to thank the other members of my committee. I could not have chosen a better or more accomplished group. Individually, and collectively, their knowledge and ability to provide guidance and counsel has been outstanding. Among so many other things, Dr. Perry encouraged me as a co-author, and helped me learn to navigate the writing process. He is a giant in our field, but has never made me feel that I, a lowly PhD student, was any less deserving of his time and attention as a colleague. That has been so important to me. Dr. Fernandez has been a willing sounding-board, asking all the right questions to help me think more deeply about my research interests. I was in one of the first classes he taught at SPEA. Though grades were assigned, the class never ended. I continue to learn from him, and I value his friendship. Dr. Reingold, as both PhD program director and professor, remains in my mind a first-rate advocate of the student. His tireless efforts at SPEA have lifted each of us to higher ground. I count myself blessed to have worked under the tutelage of each of these individuals, and look forward to long associations with them.

Before coming to Indiana University, I received outstanding training from many professors at Brigham Young University. I am forever grateful to them, especially Dr. Lennis Knighton, Dr. Robert Parsons, and Dr. Gloria Wheeler for their support and encouragement over the years. Here at the School of Public and Environmental Affairs, I have been fortunate to interact with top-rate faculty as well. I am indebted to Craig Johnson, Bob Agranoff, Les Lenkowsky, John Mikesell, and others who contributed greatly to my education, both in and out of the classroom. These individuals have kept their doors open to me. Furthermore, Justin Ross, has been an encouraging friend and co-author, and I appreciate him very much.
Two fortuitous encounters greatly shaped my dissertation. The first, involved a brief conversation with former Indiana University President, John Ryan, who maintained an office at SPEA until the time of his passing last year. That conversation, which lasted only a few minutes, planted the seed for my dissertation topic. In the year or two prior to his death, I enjoyed many opportunities to visit with him in his office. The second encounter resulted from a search on Google (of all places), which led me to contact Dr. Blake Jones, a professor of social work at the University of Kentucky. He has been a tremendous support to me in framing and carrying out the dissertation research. He is kind and gracious, and I greatly admire the work he does with the citizen review panels.

I am grateful to the many people who helped me to coordinate and arrange my research interviews. Aside from Blake Jones, mentioned above, special thanks go to Katy Larsen (Utah Division of Child and Family Services), Gayle Yocum (Kentucky Department of Community Based Services), and Marsha Lynch (Pennsylvania Child Welfare Resource Center). They were so generous with their time and assistance. Of course, while I cannot name my interviewees, I am deeply indebted to them for their willingness to speak about their experiences. I am awed by their commitment to make a difference in the world.

I appreciate Dr. Evan Ringquist, for his work as PhD program director during my last years as a student at SPEA. He has been generous with resources to support me and my efforts to develop as a student and to grow into a member of the academy. I am also grateful to the various undergraduate program directors that helped me to navigate my first teaching experiences. Dr. Burney Fischer was especially supportive of my development as a teacher and I thank him for that.
I have forged many wonderful friendships at SPEA, and I take these with me for the rest of my life. I miss Howard Swango, whose sudden passing was a shock, but I will never forget his kindness and the life-lessons he shared with me. Another dear friend, Bob Boch, allowed me to share his office space for several years. I treasure his friendship and miss our daily bagel and conversations. The staff at SPEA has consistently provided outstanding support, and they deserve recognition. To the many PhD students that I have known over the years: I look forward to following your success as each of us moves on in life. You are an impressive group.

Two special friends, whom I could never thank enough, are Jennifer Mitchner and Donna Pritchett. They helped to keep me sane during many a rough patch. They have cared for me, have listened to countless stories about my children, and have become an important part of my family. Their support and kindness mean so much to me. Truly, life is good.

Finally, I wish I could find the words to let my family know how much I love them and appreciate their unfailing and unconditional support. My parents, Doyle and Sondra Buckwalter, have always been there for me, and they are my heroes. I look up to them in every way. I love you, Mom and Dad. And to my other parents, Brent and Karla Wilson, I thank you as well. I love you for your examples and for taking me into your family. My children – Isaac, Adam, Sarah, and Eliza – are such an inspiration to me. I could not have done this without you. No matter how tough the day was, when I came home, you let me know I was loved. I love you too! And last, but certainly not least: what can I say about my wife Lynnette? We did it! Just know that I love you more today than yesterday, but only half as much as tomorrow.
Broadly speaking, this dissertation explores the possibility of balancing bureaucracy’s core values, including efficiency and expertise, with democracy’s emphasis on openness and inclusion. Specifically, it examines citizen-and-administrator interactions in settings of formal, government-organized public participation. The literature suggests that citizens may be empowered to influence administrative decision-making as the government shares information and provides a venue for public inclusion. However, we know relatively little about the conditions under which actual public empowerment may occur. The purpose of this research is to develop a better theoretical understanding of the processes and outcomes associated with government-organized public participation programs, and their potential to empower citizens.

Aimed at theory development, this multi-case, qualitative study employs elements of grounded theory methodology in order to derive testable propositions regarding citizen-administrator relationships. Using federally-mandated citizen review panels in state child protection as a context, the primary data for the study come from in-depth interviews conducted with both citizens and administrators in three U.S. states. Analyses, both within and across the cases, reveal important and emergent themes from which theoretical propositions are derived.
The study suggests that in the context of government-organized citizen participation, for citizens to be most effective at shaping administrative decisions, a control-based conception of power must give way to a cooperative paradigm. The path from empowerment processes to empowered outcomes runs through the development of relationships between citizens and administrators. These relationships are strengthened as citizens gain an understanding of and appreciation for bureaucratic constraints, and as administrators come to embrace the participation process for the betterment of the agency. Where consistent and meaningful dialogue and engagement ensue, citizens are more likely to perceive that they have a “voice” in governance, and that they are being heard and valued by the public agency.
<table>
<thead>
<tr>
<th>Section/Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acknowledgements</td>
<td></td>
<td>v</td>
</tr>
<tr>
<td>Abstract</td>
<td></td>
<td>ix</td>
</tr>
<tr>
<td>List of Tables</td>
<td></td>
<td>xii</td>
</tr>
<tr>
<td>List of Figures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section I</td>
<td>Framing the Study</td>
<td>1</td>
</tr>
<tr>
<td>Chapter 1</td>
<td>Introduction</td>
<td>2</td>
</tr>
<tr>
<td>Chapter 2</td>
<td>Conceptual Framework</td>
<td>15</td>
</tr>
<tr>
<td>Chapter 3</td>
<td>Study Context</td>
<td>45</td>
</tr>
<tr>
<td>Chapter 4</td>
<td>Methodology</td>
<td>69</td>
</tr>
<tr>
<td>Section II</td>
<td>Developing the Cases</td>
<td>93</td>
</tr>
<tr>
<td>Chapter 5</td>
<td>Kentucky’s Citizen Review Panels</td>
<td>94</td>
</tr>
<tr>
<td>Chapter 6</td>
<td>Utah’s Quality Improvement Committees</td>
<td>122</td>
</tr>
<tr>
<td>Chapter 7</td>
<td>Pennsylvania’s Citizen Review Panels</td>
<td>151</td>
</tr>
<tr>
<td>Section III</td>
<td>Drawing out the Theory</td>
<td>183</td>
</tr>
<tr>
<td>Chapter 8</td>
<td>Emergent Themes and Testable Propositions</td>
<td>184</td>
</tr>
<tr>
<td>Chapter 9</td>
<td>Concluding Remarks and Observations</td>
<td>218</td>
</tr>
<tr>
<td>References</td>
<td></td>
<td>230</td>
</tr>
<tr>
<td>Appendices</td>
<td></td>
<td>240</td>
</tr>
</tbody>
</table>
# LIST OF TABLES AND FIGURES

## Tables

<table>
<thead>
<tr>
<th>Table</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-1.</td>
<td>Major Sources of Federal Child Welfare Funds to States, 1999 &amp; 2009</td>
<td>49</td>
</tr>
<tr>
<td>4-1.</td>
<td>Comparison of Cases on Indicators of Autonomy and Responsiveness</td>
<td>75</td>
</tr>
<tr>
<td>4-2.</td>
<td>Timeline of Study Events</td>
<td>79</td>
</tr>
<tr>
<td>4-3.</td>
<td>Examples of Sub-Research Questions</td>
<td>81</td>
</tr>
<tr>
<td>4-4.</td>
<td>Distribution of Sub-Research Questions</td>
<td>86</td>
</tr>
<tr>
<td>5-1.</td>
<td>Kentucky’s Active Citizen Review Panel Membership, 1999-2012</td>
<td>97</td>
</tr>
<tr>
<td>6-1.</td>
<td>State and Regional QIC Membership, 2007-2011</td>
<td>127</td>
</tr>
<tr>
<td>6-2.</td>
<td>DCFS Representation on the Quality Improvement Committees</td>
<td>139</td>
</tr>
<tr>
<td>6-3.</td>
<td>Examples of Successful QIC Recommendations</td>
<td>148</td>
</tr>
<tr>
<td>7-1.</td>
<td>Pennsylvania Citizen Review Panel Membership by County in 2011</td>
<td>160</td>
</tr>
<tr>
<td>7-2.</td>
<td>Interviewee Perceptions of the State’s Delayed Response</td>
<td>179</td>
</tr>
<tr>
<td>8-1.</td>
<td>Summary of Theoretical Propositions from the Research</td>
<td>184</td>
</tr>
<tr>
<td>8-2.</td>
<td>Important Elements of Securing Administrative Buy-In to Participation</td>
<td>207</td>
</tr>
<tr>
<td>9-1.</td>
<td>Levels of Administrative Response to Mandated Participation</td>
<td>220</td>
</tr>
</tbody>
</table>

## Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-1.</td>
<td>Key Components of Public Empowerment Processes and Outcomes</td>
<td>32</td>
</tr>
<tr>
<td>2-2.</td>
<td>Conceptual Map of Public Empowerment Concepts and Relationships</td>
<td>42</td>
</tr>
<tr>
<td>3-1.</td>
<td>Administrative Structures of State Child Protective Services</td>
<td>51</td>
</tr>
<tr>
<td>3-2.</td>
<td>Flow of Legislation Introducing Citizen Review as a Federal-to-State Mandate</td>
<td>57</td>
</tr>
<tr>
<td>3-3.</td>
<td>The Evolution of Empowerment in CAPTA</td>
<td>60</td>
</tr>
<tr>
<td>4-1.</td>
<td>Model of the Grounded Theory Data Collection and Coding Processes</td>
<td>72</td>
</tr>
<tr>
<td>5-1.</td>
<td>Service Regions of the Department for Community Based Services</td>
<td>95</td>
</tr>
<tr>
<td>6-1.</td>
<td>Division of Child and Family Services Administrative Regions</td>
<td>123</td>
</tr>
<tr>
<td>7-1.</td>
<td>Office of Children, Youth and Family Regional Offices</td>
<td>152</td>
</tr>
<tr>
<td>7-2.</td>
<td>Pennsylvania’s Active Citizen Review Panels, 2010-2012</td>
<td>157</td>
</tr>
<tr>
<td>8-1.</td>
<td>Three Models for Assessing Participation Success</td>
<td>210</td>
</tr>
<tr>
<td>8-2.</td>
<td>Levels of Perceived Value of Citizen-Participants</td>
<td>216</td>
</tr>
<tr>
<td>9-1.</td>
<td>The Dimensions of Public Empowerment</td>
<td>221</td>
</tr>
<tr>
<td>9-2.</td>
<td>Moving the Public from Spectator to Engaged Partner</td>
<td>224</td>
</tr>
</tbody>
</table>
SECTION I
FRAMING THE STUDY

The first section of the dissertation frames the research by describing the structure around which the individual cases are developed and from which the theoretical propositions are derived. Chapter One provides a brief introduction and overview of the research, highlighting key objectives, questions, definitions, methods, and contributions, all of which are elaborated more completely in subsequent chapters. The conceptual framework for the study is discussed in Chapter Two. Based on an extensive review across a number of relevant literatures, it seeks to identify the current state of knowledge and reveal important gaps in our understanding of public empowerment in contexts of government-organized citizen participation. Chapter Three details the specific policy context in which the current study is constructed. Finally, Chapter Four lays out the methodological approaches used in the study itself – the tools employed in pursuit of building theory.
CHAPTER ONE
INTRODUCTION

Over the past many months, the world has watched with startling interest as people-led regime change has swept across parts of the Middle East. In Tunisia, Egypt, Libya, and other nations – the Arab Spring has reminded us that the people are demanding a voice in governance. In the United States, representatives of the so-called “99 percent” have occupied everything from Wall Street to Main Street, making known their deep dissatisfaction with a wide array of institutions, not the least of which is government. If government is serving the public interest, they say, it certainly is not that of the masses. Is this type of popular frustration new? No. Is it symptomatic of other concerns? Perhaps. Regardless, public sentiment appears to be boiling, and like an upstart child, the public is no longer content to be seen but not heard. Indeed, these developments manifest a resurging interest in notions of public empowerment.

To be clear, this dissertation is not about political regime change. Nor is it a normative plea to return “power to the people” in some revolutionary sense. Its aims are admittedly less dramatic, yet still vitally important. Broadly speaking, this dissertation explores the possibility of balancing bureaucracy’s core values, including efficiency and expertise, with democracy’s emphasis on openness and inclusion. Specifically, it examines citizen-administrator interactions in settings of formal, mandated public participation. When the public is given a venue in which to participate alongside administrators, there is at least an implied expectation that its involvement will matter in some way, that it can shape or influence administrative decisions. This research seeks to understand if and how this might occur.
The Values of Public Administration

The study and practice of public administration has moved through numerous eras, during which certain values emerge as the dominant shapers of governance structures and processes (Mosher 1968; Light 1997). The flow of cultural, political, and technological trends and events create the milieu in which public values are occasionally re-positioned. These epochal shifts have notably highlighted the perceived tradeoffs between bureaucratic values and democratic ideals (Kaufman 1956).

Shifts in values that assert an increased public role in governance often create tension in existing administrative structures. At times, these tensions escalate to produce significant changes to the balance between democracy and bureaucracy. Mary and Robert Kweit (1981) describe these periods as being rooted in a particular crisis of participation, and they identify three distinct examples in the history of the United States. Each period is notable for its stark expansion or contraction in popular access to political and administrative structures, and is described in the paragraphs below.

The first crisis of participation occurred during the Jacksonian Era, a time of significant democratization in government. As the number of western settlements expanded, so too did questions of who could and should participate in governance, in some cases resulting in relaxed qualifications for public office. Furthermore, elements of the spoils system – a direct outgrowth of the era – gave greater access for common citizens to obtain paid positions in government agencies.

A second participation crisis came during the Progressive Era. Important reforms from this period – including the initiative and referendum – expanded popular access to ballot-box legislation. On the other hand, different reforms served to insulate
administrative structures. The push for a professionalized civil service, prompted in part by the problems associated with the aforementioned spoils system actually limited access to public jobs. It also had a role in pushing technical expertise to a more prominent position as a value in public administration.

Finally, a third participation crisis occurred during the turbulent decade of the 1960s, a time of widespread social change. As described by the Kweits: “The movement by blacks to achieve political and social equality, the decline of the traditional family structure, the increase in the role of government in our lives, and the growing sense of distance from government, all contributed to demands to alter the structure of citizen participation” (1981, 4). During that and subsequent decades, a proliferation of federal mandates called for more formal and direct citizen participation in state and local decisions and processes. Not only did these mandates change where citizens were encouraged to participate, in terms of which policy areas, but they also altered how they participate as well (Thomas 1995). Their emergence was an important factor ushering in what has been called the “age of direct citizen participation” (N. Roberts 2004, 315).

Today, a steady advancement of technologies is making government transparency possible in ways that have not existed in the past (Fung and Weil 2010). Perhaps more importantly, these same technologies may be fundamentally changing societal expectations regarding information access and consumption as well, driving demand for greater government openness. This has undoubtedly contributed to the nearly ubiquitous heralding of transparency as a public value (Hood 2006), and the raising of public knowledge to the level of a basic human right (Birkinshaw 2006; Florini 2007).
Furthermore, evidence suggests that the current governance landscape shows signs of becoming less government-centric in many ways. Non-hierarchical, non-centralized, collaborative structures are increasingly common in addressing many challenging public concerns (O’Toole 1997). Driving this is a growing recognition that “more decisions are made with wider and wider consultation – or they don’t ‘stick’” (Cleveland 1985, 188). While direct public participation is only one piece of the broad collaborative governance puzzle, the trend highlights a greater awareness of the need for inclusiveness in the search for effective solutions to public challenges (King et al. 1998; Cooper et al. 2006; Feldman and Khademian 2007). This has the potential to reposition public values again, even to “shift our concern away from hierarchical accountability to notions of responsibility, responsiveness, and the fostering of democratic ideals” (Agranoff and McGuire 2003, 189).

The issue of public access to government information and decision venues will almost surely continue long into the future. However, at some point, thoughtful consideration regarding the impacts of this participation will demand a greater scrutiny of the power relationships at play. If another participation crisis looms, it is reasonable to anticipate that a driving concern will be an effort to distinguish means from ends, or more specifically, access from actual impact. Indeed, a driving issue will be the need to understand if and how the public becomes empowered in its participation.
Framing the Research

Public Participation: A Conflict of Administrative Interest? Over the years, a number of reforms have sought to counterbalance perceptions of a burgeoning bureaucracy with promises of greater democratic involvement (Morone 1998). Many of these promises have materialized in the form of political mandates for more government transparency and/or greater public inclusion in government decision-making. This has been especially notable in a large number of federal grants to state and local governments (Advisory Commission on Intergovernmental Relations 1979).

In theory, direct citizen participation can be a means of redistributing power from among traditional administrative actors by giving the public a greater voice in determining governance decisions. In practice, however, implementation of such mandates is left to administrators, giving them discretion to shape the very processes meant to counterbalance administrative power in the first place. Under government-organized participation, whether or not the public becomes empowered in its ability to impact administrative decisions rests largely on the desire and ability of administrators to share power and move towards greater citizen collaboration.

Research Objectives. The literature suggests that citizens may be empowered to influence administrative decision-making as the government shares information and provides a venue for public participation. However, we know relatively little about the conditions under which actual public empowerment may occur. The purpose of this dissertation research is to develop a better theoretical understanding of the processes and outcomes associated with mandated public participation programs, and their potential to empower citizens. Specifically, this study is designed to:
1) Inform long-standing debates regarding the benefits and tradeoffs of increasing “democracy” (i.e. direct public involvement) in bureaucratic settings.

2) Investigate whether, and how, government-initiated public participation and information-sharing results in empowered publics.

3) Examine other outcomes associated with citizen participation.

**Primary Research Questions.** The current research is based on the following premise: once public participation has been mandated, the choice for administrators is not whether to include the public, but rather how inclusive to be in terms of quality of interaction and potential for impact. Given this premise, and in light of the above-stated objectives, this study revolves around two primary questions, which reflect and shape the motives and methods of the research. These include:

- **Research Question #1:** When public inclusion is mandated, what factors influence the structure and quality of citizen-agency interactions?
- **Research Question #2:** What are the outcomes of formal, government-initiated public inclusion, and how do these shape expectations for public impact?

**Research Context.** Using federally-mandated citizen review panels in state child protection as a context, the study examines both citizen and administrator perceptions of mandated participation and the potential for meaningful public impact on administrative decisions. In recent years, state child protection as a policy area has experienced a number of important reforms that make it an ideal context in which to study elements of public empowerment. The 1996 reauthorization of the Child Abuse Prevention and Treatment Act (CAPTA) featured significant steps toward public empowerment by mandating greater citizen involvement in state child protection policy and practice.
Greater detail of this legislation will be provided in Chapter Three. However, for purposes of establishing introductory context, a brief description follows.

To receive CAPTA grant funds, states are required to establish a minimum of three citizen review panels (CRP) with the specified role of providing systemic-level evaluation of state child protection policy and practice. Panels meet regularly, and their activities and recommendations for agency improvements are documented in an annual public report. States are obligated to provide adequate assistance for panels to perform their functions, including some staff support and providing requested information. In addition, since 2003, states have been required to respond to CRP recommendations in writing, detailing if and how they plan to address concerns raised by the citizen groups.

**Methodological Approach.** In brief, this research employs a qualitative multi-case analysis of citizen-agency relationships in three U.S. states. The methodology adopts elements of a grounded theory approach as described by Strauss and Corbin (1998) among others. The principal benefit of such an approach is its flexibility in allowing unforeseen themes and patterns to emerge from the data, thus facilitating theory development – the driving goal of the research. Data analysis was done systematically, using well-developed qualitative techniques (Miles and Huberman 1994). The uniqueness of the three case states – Kentucky, Pennsylvania, and Utah – provides an interesting and insightful mix of characteristics to allow for meaningful examination of both within-case and between-case variability. Specific case selection criteria are discussed in Chapter Four.

Primary original data for the research come from personal interviews conducted with both state and county-level agency administrators and employees, as well as citizen...
review panel participants. Over 50 in-depth interviews were conducted for this research. On average the interviews lasted just over one hour, though a few were shorter or longer, ranging from about 30 minutes up to 90 minutes. The interviews followed a guided discussion format, focusing broadly on perceptions and experiences with the panels’ efforts to shape agency decisions and outcomes. The data collection process also entailed multiple site visits in each case state as well opportunities for direct observation of panel training and activities.

In addition to the primary interview data, the research also made use of extensive document analysis of publicly-available secondary resources. These documents are described in greater detail in Chapter Four, but include, among other things, federal and state legislative proceedings, judicial rulings, and annual reports of panel activities and state responses in order to understand the context, tone of citizen-administrator interaction, and level of substantive public empowerment manifest through these formal participation processes. In total, the research timeline covered nearly a two-year period, though principal data gathering and analysis occurred in 2012, between early-Spring and late-Fall.

Key Concepts

**Defining the Public.** While there are many different views of the “public,” this dissertation employs the term in a way that is generally consistent with Frederickson’s description of the “public as citizen.” According to Frederickson, this view is “closely tied to the modern origins of public administration,” and is based on the notion of “an informed citizenry that [is] generally active in public affairs” (1997, 42). Therefore, as is
common in both academic and political parlance, this dissertation will at times interchange the terms “public” and “citizen.”

**Defining Mandated Participation.** Public (or citizen) participation has deep normative ties to conceptions of democratic life (Barber 1984), and is a central organizing concept in this dissertation. The focus here is on what some have referred to as “extra-electoral participation” (Stewart 2007, 1067), or in other words, citizen involvement that occurs outside of typical voting channels. This dissertation uses a similar definition for participation as that suggested by Donald Moynihan: “citizens or citizen representatives (who are not elected officials) interacting with and providing feedback to government at some part of the policy process (either policy formulation or implementation)” (2003, 166). While there is wide variation in participation structures, these can be organized broadly under two major forms: grass-roots or government mandated/sponsored (Wandersman 1984; Simonsen and Robbins 2000). The chief distinction between these is the locus of initiation, with the former being citizen-driven, and the latter being formally organized by government. Clearly, there are a number of different forms that government-organized citizen participation can take, and this dissertation examines just one variety. However, it is believed that the lessons from this research can find wider application among those channels of citizen participation which operate under significant government control.

The mandated participation spoken of in this research must be properly construed, not as forcing the public to participate, but rather forcing the state to provide a venue and means for the public to participate. As a significant provider of funding to sub-national governments – through an elaborate and expansive grant system – the federal government
often makes claim on the recipient states to meet specified provisions for grant eligibility. Therefore, in this case the mandate is directed towards the state governments, which then must interpret and implement the provisions for increased public inclusion. For this reason, mandated participation is also described as government-organized public participation in the dissertation.

**Defining Public Empowerment.** The community psychology literature highlights several important aspects of empowerment (see, for example Rappaport 1987; Zimmerman et al. 1992; Rich et al. 1995; Hur 2006). First, empowerment can be experienced at multiple levels, for example, by individuals or by groups. Second, it is a multi-dimensional construct, which covers many different areas of social, political, and economic interactions. Third, like the root from which the word derives, empowerment belies a socio-relational emphasis. In other words, empowerment is gauged in reference to other relevant actors who also influence the inputs and outcomes of interest. Fourth, it can be pursued reactively, in response to a perceived threat, or proactively, in pursuit of desirable goals. Finally, gaining mastery entails the development of a sense of control over events and outcomes. Empowerment allows people to act, not merely react, and to observe a link between their actions and the results they seek.

Empowerment is a multi-faceted construct with both process and outcome components (Zimmerman 2000). It is manifest in a variety of forms. For example, Rich et al. (1995) distinguish between formal, intrapersonal, instrumental, and substantive empowerment. Formal empowerment refers to mechanisms that “create real opportunities for citizens to be involved in decision making” (666). The key characteristic is that these mechanisms have been formally institutionalized through
government intervention, often mandated through legislation. Intrapersonal empowerment refers to an individual’s perceived competence to influence decisions in a given setting. It is related to what Zimmerman et al. (1992) describe as psychological empowerment. On the other hand, “instrumental empowerment refers to the individual’s actual capacity for participating in and influencing a decision-making process” (Rich et al. 1995, 667). The concept is relevant also to group participation, with emphasis on the types of knowledge, skills, abilities, and resources that may increase the level of influence in the decision setting. Finally, substantive empowerment looks at whether or not citizen input is reflected in the decisions made, as well as the impacts of those citizen-influenced decisions.

The concept of public empowerment is central to questions regarding the role of citizens in their own governance and the ability of individuals and groups to shape public decisions. Obviously, these issues are core concerns in the establishment of a democratic polity. Public empowerment specifically considers the ability of citizens as outside-agency actors to influence the decisions and work of inside-agency officials, including the many unelected administrators tasked with carrying out the public’s work. This dissertation defines public empowerment as the extent to which formally engaged citizen participants are able to impact and shape administrative decisions and outcomes.

Contributions

This dissertation makes several important contributions. First, it develops a theoretical lens through which to understand the processes and outcomes of mandated participation, its effects on existing power structures, and its potential impacts on other key outcomes. With its focus on the role of the administrator in fostering democratic
polity (Kirlin 1996), it stands to inform long-standing debates such as the balance and tradeoffs between bureaucracy and democracy. The research will also raise our level of understanding regarding aspects of intergovernmental relations, including the effects of requiring public involvement as part of the federal grant system. A clearer understanding of the logic and limits of public empowerment will enable the design of improved participatory systems.

**General Findings.** The analyses suggest that in the context of government-organized citizen participation, for citizens to be most effective at shaping administrative decisions, a control-based conception of power must give way to a cooperative paradigm. The path from empowerment processes to empowered outcomes runs through the development of relationships between citizens and administrators. These relationships are strengthened as citizens gain an understanding of and appreciation for bureaucratic constraints, and as administrators come to embrace the participation process for the betterment of the agency. Where consistent and meaningful dialogue and engagement ensue, citizens are more likely to find that they have a “voice” in governance, and that it is being heard by the public agency.

**Organization of the Dissertation**

The next chapter builds the conceptual framework for the study. The literature review highlights the current state of knowledge regarding government-organized citizen participation, and reveals important gaps which the dissertation research attempts to address. Chapter Three describes the specific policy context in which the dissertation is framed, and Chapter Four discusses the methods employed in the research, including case selection criteria, data collection, and data analysis. In Section II, comprising Chapters
Five, Six, and Seven, the separate cases are developed, focusing on within-case analysis of themes emerging from the interviews. Finally, in Section III, Chapter Eight analyzes findings across cases in order to detail emergent themes and to generate a series of testable theoretical propositions. The concluding chapter – Chapter Nine – details the implications of the research findings in more general terms, including contributions to theory, policy and practice. Study limitations are also discussed.
CHAPTER TWO
CONCEPTUAL FRAMEWORK

As described previously, this dissertation intends to develop a stronger theoretical understanding of the processes and outcomes associated with government-mandated public participation. More particularly, it explores the potential for such arrangements to empower citizens in their ability to influence administrative decision-making. The current chapter builds on the previous one by culling important connections from several key strands of literature, such as public administration and community psychology. Furthermore, it develops a basic framework for understanding empowered citizen-administrator interactions, with a focus on revealing our current state of knowledge, as well as areas demanding further theoretical connections.

The Foundations of Public Empowerment

A key premise of this research is that public empowerment represents a potential shift towards greater citizen influence in governance. Both normative and instrumental arguments for more public-centric governance structures have deep roots in political philosophy. Publicity – an conceptual ancestor to empowerment – describes how concerns, issues, and sentiments coalesce in a common sphere of shared experience, and relates closely to modern conceptions of public opinion (Lippmann 1925) or more recently-developed discussions of public judgment (Yankelovich 1991). An understanding of these concepts, then, becomes an important first step towards delineating crucial building-blocks of public empowerment.

Slavko Splichal (2002) identified knowledge and inclusiveness as key dimensions of publicity. Knowledge relates to awareness and comprehension of public issues and
concerns, or what the community psychology literature refers to as “a critical understanding of [one’s] environment” (Zimmerman et al. 1992, 708). Inclusiveness, on the other hand, denotes the breadth of consideration for the public as stakeholders in shared concerns, either passively through representation, or more actively through forms of direct participation (Rossmann and Shanahan 2012). Though often discussed as independent democratic values, knowledge and inclusiveness are in actuality highly interconnected and interactive, both derived from and contributing to varying degrees of organizational and systemic openness (Meijer et al. 2012). They are also readily identifiable across a range of literatures pertinent to empowerment. For example, in a seminal work regarding employee empowerment, Bowen and Lawler (1992) suggested that participants must have access to information in order for them to acquire the necessary knowledge and skills to influence organization direction and outcomes. In public administration, Martha Feldman and her colleagues have explicitly noted the connections between information and participation in their discussions of “inclusive management practices” (Feldman et al. 2006, 89), and in “creating communities of participation” (Feldman and Khademian 2007, 305). In a succinct summarization of this point, King et al. (1998) concluded: “The central issue [in empowerment] is one of access. . . . ‘Creating opportunities for people to participate is the key . . . . It is all about access to skill building and to information’” (323-4).
The Motives of Public Empowerment

Before turning to an in-depth examination of empowerment methods, it is important here to briefly discuss the prevalent underlying motives behind empowerment reforms. An examination of the political philosophy undergirding public empowerment reveals two contrasting approaches. The first seeks public influence to actualize the civic sphere. The second seeks public influence as a control on bureaucracy. These motives, discussed below, are significant because they shape the environments in which administrators interpret direct citizen involvement, and ultimately how they conduct work with the public.

Actualizing the Civic Sphere. Calls for increased public influence are commonly rooted in normative values which explicitly recognize its intrinsic importance in democratic life (Barber 1984; Thomas 1995; Moynihan 2003). This view of public empowerment was clearly articulated in Emmett Redford’s description of “democratic morality,” which contemplates an ethos positioning people and their meaningful participation as the central societal value. According to Redford, such an ethos is only attainable in a truly open society, in which the following conditions exist: “(1) access to information, based on education, open government, free communication, and open discussion; (2) access, direct or indirect, to forums of decisions; (3) ability to open any issue to public discussion; (4) ability to assert one’s claims without fear of coercive retaliation; and (5) consideration of all claims asserted” (1969, 8).

Again, a look at the concept of publicity provides a helpful context for understanding this view. Jürgen Habermas (1989) in The Structural Transformation of the Public Sphere, speaks of the role of publicity in expanding public understanding and
fostering rational public discourse. Accordingly, empowering processes strengthen the capacity of citizens to engage in public life. They provide, in varying degrees, the means for individuals to achieve a sense of civic self-actualization. Such a view has been among the guiding tenets of the so-called “new public administration” (Frederickson 1971) and the more recent “new public service” (Denhardt and Denhardt 2007).

**A Control-of-Bureaucracy Motive.** A second motive takes a less optimistic view of the reasons for empowering the public, focusing not so much on the development of civic capital, but rather on citizen oversight and control of the bureaucracy (Langton 1978; Gruber 1987). In the U.S. context, this view derives largely from suspicions of a burgeoning administrative purview (Morone 1998; Stillman 1991). Specifically, concerns regarding the decision-making discretion afforded to unelected officials in carrying out the public’s work have driven the nearly constant calls for greater control and accountability.

Utilitarian political philosopher, Jeremy Bentham – arguably foremost among proponents of the principle of publicity described above – saw as its impetus a “system of distrust” (Bentham 1999, 37). The notion of public empowerment as a means of increasing the accountability of public officials becomes even more clear in Bentham’s observation that it is “an indisputable truth, and a truth that is one of the corner stones of political science – the more strictly we are watched, the better we behave” (Bentham 2001, 277). This view, in turn, motivates calls for empowerment reforms that enable citizens to provide a “watchful eye” (Light 1997, 31), “wise vigilance” (Wilson 1887, 497), or, more caustically, “distrustful surveillance” (Spichal 2002, 49) over public servants. The essence of this motive was concisely captured in Charles Hyneman’s
proclamation that, “administrative officials and employees must be put in their proper place and kept in their proper place within the democratic structure of our government” (1950, 10).

Various wellsprings of bureaucratic control have been considered in the literature, but typically revolve around an examination of either external legal and political constraints and accountability structures (Finer 1941; Wood and Waterman 1991; Romzek and Dubnick 1987) or internal self-constraints and individual public-regarding motives (Friedrich 1940; Perry and Wise 1990). Judith Gruber discussed a sort-of amalgam of external and internal checks on the perceived “unaccountable power” of administrative agents, through the introduction of greater democratic controls (1987, 5). Democratic control of bureaucracy, by her definition, required a legally-based mechanism to “impose constraint on bureaucratic behavior . . . and that the constraint be directly traceable to the citizenry” (1987, 12). Central to Gruber’s framework of democratic control was the intersection between constraint of processes and constraint of outcomes. By introducing more opportunities for direct public involvement, bureaucratic actors become less isolated, and therefore, more constrained in their actions. The outcomes of those constraints, however, hinge largely on the individual administrator’s disposition towards democratic involvement of the public.

**The Methods of Public Empowerment**

Conceptually, empowerment has both process and outcome components, such that one can speak of “actions, activities, or structures [which] may be empowering, and that the outcome of such processes result in a level of being empowered” (Zimmerman 2000, 45). Consistent with the assumptions previously noted, empowerment reforms typically
aim to expand public knowledge or public inclusiveness, and sometimes both. Formal, government-initiated empowerment entails the establishment of potentially empowering processes though it does not necessarily guarantee substantively empowered outcomes (Rich et al. 1995).

While there exist many ways that public inclusion can be formalized, ¹ a broad reading of the literature distils these to two principal methods (King et al. 1998; Pahl-Wostl 2005; Crosby and Bryson 2005; Feldman and Khademian 2007; Welch 2012). The first method – focused squarely on knowledge-based reforms – includes increasing public access to information through government transparency. These reforms represent a wide range of information-sharing mechanisms between government agencies and the public. The second method of public empowerment, linked mainly to inclusiveness or involvement, falls under the rubric of direct citizen participation in governance.

Adapting a categorization put forward by Yilmaz and Beris (2008) with regards to public-sector accountability, I discuss these methods of empowerment as supply- and demand-side paradigms. What follows is an examination of each method, including its logic and limitations in the theory and practice of public empowerment.

**Transparency: A Supply-Side Paradigm of Empowerment**

Transparency has long been recognized for its importance in democratic governance (Heald 2006a). This is especially true in structures that rely more on representation rather than direct citizen involvement. Wherever the few shoulder the work of the many, knowledge asymmetries naturally emerge. Asymmetries in knowledge about public work are greatly exacerbated when the breadth and depth of that

¹ See, for example, International Association for Public Participation 2007.
work is both highly varied and specialized, as in the modern administrative state. The logic behind transparency-focused empowerment reforms stems from a supply-side paradigm based on the belief that by reducing barriers to information, the public will gain understanding of and influence over governance decisions.

As a public value, transparency has both intrinsic and instrumental qualities. Advocates often stress its intrinsic importance by equating transparent government with good government, or even more fundamentally, by discussing it in the context of basic human rights (Birkinshaw 2006; Florini 2007). On the other hand, it has been touted for its instrumentality in attaining other important public values in governance, such as effectiveness, trust, accountability, and fairness (Heald 2006b). Because of this, transparency is often pursued even without direct attachment to the specified mission of a government agency or organization (Piotrowski and Rosenbloom 2002).

**Hallmark Transparency Policies.** In policy discussions, transparency is frequently treated synonymously with accessibility. The evolution of public access laws in the United States has served in many ways as a forerunner for worldwide efforts at more transparent governance. Among early significant transparency reforms was the Administrative Procedures Act of 1946, which required agencies to publish information on rules and the processes of rule-making in the Federal Register. However, the bellwether transparency legislation would come two decades later, in the Freedom of Information Act (FOIA) passed in 1966. This made government-held information more widely available to the public, based on a system of requests and approvals, and similar efforts spread through state and local governments. Globally, the proliferation of national right-to-information laws since the 1960s has been astounding (Ackerman and Sandoval-
Ballesteros 2006). Currently over 70 countries have recorded such laws, the vast majority created since the mid-1990s (A. Roberts 2010).

Ten years after the passage of FOIA, the United States implemented the Government in the Sunshine Act of 1976, opening government meetings to public access. The intent of this and similar statutes was to allow the public to observe the discussions and decisions as they occur instead of being limited solely to hindsight understanding after decisions had been made. The timing of transparency – i.e. before, during, or after a decision – is an important consideration in information-based empowerment reforms (Heald 2006a).

More recently, government transparency has been promoted in other significant ways. Distancing his administration from the widely-perceived secrecy of his predecessors, President Barack Obama established the Open Government Initiative on his first day in office in 2009 (Coglianese 2009). The stated goal was to produce an administration “committed to creating an unprecedented level of openness in Government. . . . [in order] to ensure the public trust and establish a system of transparency, public participation, and collaboration” (Obama 2009, 4685). Among other things, this included a directive for each agency to develop formalized plans for greater openness and to provide public access on government websites to data used in making policy decisions. A natural extension of these efforts is increased usage of social media and Web 2.0 technologies at all levels of government.

**Transparency and Trust.** A persistent claim regarding transparency reforms is that they possess the power to restore and strengthen trust in government. This presupposes that a common antecedent to transparency-related reforms is some breach of
trust by public officials. Indeed, Alasdair Roberts described the typical development of transparency policies as following a common sequence – “abuse, exposé, outrage, reform” (2006a, 232). While it is difficult to argue against the underlying political philosophy of greater openness in government, research on the impact of transparency laws on trust has been mixed at best. Despite the dramatic rise in open-government policies across the globe, levels of public trust have continued to decline (O’Neill 2006).

A recent in-depth examination of the UK’s Freedom of Information Act of 2000 revealed that the law has not strengthened trust in government (Worthy 2010), which harmonizes with similar assessments of the US and Canadian experiences (A. Roberts 2006b).

While a healthy skepticism is to be embraced as an antidote to complacency, there may be levels at which the aim of transparency towards accountability can produce negative results. Ironically, many so-called transparency policies intending to increase government legitimacy may in fact have the opposite effect and produce other unintended consequences. For example, transparency policies may even lead to less trust if the public’s expectations regarding the policy’s implementation and outcomes are not met (Grimmelikhuijsen 2012). Broader societal factors also appear to influence these surprising outcomes. Essayist David Brooks has suggested that we live in a culture in which “the exposure ethos, with its relentless emphasis on destroying privacy and exposing impurities, has chased good people from public life, undermined public faith in institutions and elevated the trivial over the important” (2010). Archon Fung and David Weil have conjectured that “the current discourse of transparency – focused as it is on accountability and issues such as corruption – produces policies and platforms that are particularly sensitive to government’s mistakes but often blind to its accomplishments”
(2010, 107). More to the point, Alasdair Roberts (2006b) has posited that such hallmark transparency policies as Freedom of Information are likely to be used to reveal negative aspects of government, including mismanagement, waste, or even fraud. In that case, “any public satisfaction that might be felt regarding the ability to gain access to this information is likely to be outweighed by indignation at the problems which are revealed” (119).

**The Challenges of Transparency as an Empowering Process.** While the principle of transparency as an empowering process fits soundly in a normative theory of democratic governance, there are a number of possible reasons that its common practice falls short in delivering the empowering benefits so often linked to it. First, there is a potential clash between the values inherent in transparency reforms, and other prominent administrative goals like efficiency and expertise (R. Kweit and Kweit 1980). For instance, research has suggested that more recent efficiency-oriented administrative reforms tied to the reinventing government movement of the early 1990s had a weakening impact on the efficacy of transparency policies – specifically Freedom of Information laws. Such reforms appear to dampen the urgency of filling information requests as the focus on efficiency increasingly draws administrators’ attention to what they see as more essential agency functions (A. Roberts 2000; Piotrowski 2007).

Second, for all that can be said about public values, it is easy to overlook that organizations place a premium on the value of survival. From a natural systems perspective, organizational survival is the overarching priority (Scott 2003). Under conditions of uncertainty, agencies are expected to employ buffering mechanisms to protect themselves from threats associated with increased openness to the environment
(Thompson 1967). If a mandate to be more open to the public is perceived as rendering the agency to a position of vulnerability, buffering strategies may include being highly selective in what information to release, when to release it, to whom, and through what media. Unfortunately, it is not unthinkable that this could also include overt dishonesty, through the intentional release of inaccurate and misleading information.

This leads to an additional set of challenges in empowering the public through transparency reforms alone. As a communication process, transparency reforms should ultimately be concerned with whether and how information actually reaches an audience (O’Neill 2006). Even so, nearly all policy discussions treat it implicitly in a unidirectional manner, as a condition to be met by one party rather than an interaction between multiple parties. This tendency fails to recognize the need for “external receptors capable of processing the information made available” (Heald 2006a, 26). The public and policymakers call for ever more access to information, yet citizens have not necessarily improved their capacity to interpret it, let alone have the expertise to act on it wisely (Hadden 1981; Foley 1998). Furthermore, a sense of apathy, malaise, disinterest, or powerlessness can put up an impenetrable wall through which no message is received at all by the public (Lippmann 1925). A government agency can release all the data it has, but if nobody can understand it, or if people don’t care, then the message is quickly and easily lost.

Treating transparency as a condition rather than an interaction has led to a proliferation of policies that emphasize access as opposed to engagement. This belies an oftentimes erroneous conflation of quantity with quality – a tendency to confuse availability with utility. If access is meant to alleviate information asymmetries, over-
access creates a new problem for the public where it must sift through a glut of technical data to find anything of value or something that makes sense. Falling prey to the notion that more-is-always-better ignores the fact that not all information is of equal worth in terms of accuracy, relevance, or usefulness. This ultimately begs the question: Is it possible to be too transparent, and thus by so doing, not be transparent at all? The fact that some light is good must be tempered by the reality that too much light can be blinding, or that a few well-placed lights can distract the public’s gaze from areas where additional scrutiny is needed.

In sum, most information-based empowerment reforms have prompted greater access to information in a unidirectional manner, but have not necessarily improved dialogue between the public and its servants. This is not to say that information access is not important. Indeed, it is vital. However, while information access may be necessary for an empowered public, it is by itself an insufficient condition. Greater inclusiveness must likewise be sought, with transparency being more intimately linked to public participation (Lukensmeyer et al. 2011; Meijer et al. 2012; Welch 2012).

Public Participation: A Demand-Side Paradigm of Empowerment

If information-based transparency reforms represent a supply-side paradigm of empowerment, then involvement-based reforms, which stress participation, approach empowerment from the demand side. This logic is based on the assumption that demand for understanding and influence in governance will increase when the public is provided a venue for meaningful participation. This, in turn, drives demand for empowering information to enable the public to be more effectively involved. The cumbersome nature of participation, for many, is outweighed by its centrality to democratic life and its
perceived virtues, among which is the lofty potential “of transforming private into public, dependency into interdependency, conflict into cooperation, license into self-legislation, need into love, and bondage into citizenship” (Barber 1984, 119-20).

Discussions of democratic theory have at their heart a concern for the role of the public in governance – how, and to what extent, the public should participate. Many participation-related reforms are proposed with the intention of redistributing power, or at least mitigating the power wielded by traditional government actors (Gruber 1987). The development of public administration in the United States provides an interesting case in point. A general distrust of government power has contributed to a unique historical development of administrative structures – a sort of here-a-little, there-a-little approach that Richard Stillman compares to the “chinking in” of a cabin’s walls (1991, 42). According to James Morone, in this setting, reformers have customarily perpetuated a so-called “democratic wish,” aiming to “overcome the checks and balances of a polity biased against the expansion of government by promising to restore power to the people” (1998, 4). He further suggested that the preferred method for approaching this redistribution of power is through the promise of direct citizen participation in governance. In the modern era, these promises have become embodied in government mandated and organized approaches to public participation.

**The Rise of Government-Mandated Citizen Participation.** The modern origins of mandated participation reach back to the mid-20th century, a pivotal time in the development of direct citizen inclusion in policymaking and implementation (N. Roberts 2004). Two concurrent trends made this possible. Not only was there growth in the scope of government responsibility, but there was also a notable decline in public trust in
traditional governing institutions. These conditions further fueled the rising interest in more direct citizen involvement, including different varieties of government-sponsored participation (Simonsen and Robbins, 2000).

With the creation of Community Action Programs as part of Lyndon B. Johnson’s War on Poverty during the 1960s, the mantra became one of “maximum feasible participation.” Mandated public involvement became further institutionalized during the 1970s, with the expansion of federal grant-in-aid programs to states and localities. By 1978, public participation requirements were featured prominently in 155 separate grant programs, which accounted for more than four out of every five dollars in federal grant funds (Advisory Commission on Intergovernmental Relations 1979). The number of policy areas with direct citizen involvement has ballooned far beyond community planning to include state energy policy (Timney 1998), public health and AIDS prevention (Foley 1998), transportation planning (Kathlene and Martin 1991), environmental protection (Rich et al. 1995), watershed management (Irvin and Stansbury 2004), to name just a few.

Research suggests that some forms of participation are more conducive to actual public impact than others, though widespread agreement on these outcomes has been elusive. For example, one of the most common participation mechanisms – the public hearing – is frequently denigrated for its ineffectiveness and the ease with which it is so often subverted by administrators (King et al. 1998; Innes and Booher 2004). However, variations on the public hearing theme have been hailed as highly successful in particular contexts (Moynihan 2003), especially when such processes approximate true deliberation rather than being treated as formality (Lukensmeyer and Brigham 2005). Similar
counter-balancing arguments have been made about the use of citizen boards or community panels (Steckler and Herzog 1979; Crosby et al. 1986; Houghton 1988; Kathlene and Martin 1991). Despite the growth in mandated participation venues, there has been little unifying research to drive our understanding of what makes one form more or less effective than another.

**Control, Autonomy, and Power-Sharing.** In what is still one of the most-cited typologies of citizen participation, Sherry Arnstein (1969) uses the imagery of a ladder to describe the range of citizen-administrator interactions. At the lowest rungs are forms of “nonparticipation,” methods used to condition or cajole the public towards certain viewpoints in line with the administration’s preferences. On the middle rungs, the public becomes increasingly involved, but often in generic or “token” ways, with administrators still maintaining control of both processes and outcomes. Only at the top rungs does actual power transfer occur, with full citizen control of decisions being the highest level.

In theory, complete “citizen control” rounds out Arnstein’s ladder well; but its desirability is questionable and its attainment unrealistic. In most cases, public managers retain control of how participation is implemented (Thomas 1995; Moynihan 2003). Mary Timney has gone so far as to argue, “Citizen participation . . . is not designed primarily for citizens but for agencies” (1998, 98). With power to shape the contours of participation, public administrators in large measure can determine its impacts (Stewart 2007). In addition, complete citizen control is rarely (if ever) achieved because expertise is still valued in those implementing public policies. So long as final implementation remains in the hands of administrators and “street-level bureaucrats” – and so long as
they maintain some discretionary judgment for how policy gets carried out – they will continue to exercise significant power to shape public outcomes (Lipsky 1980).

An important factor determining the effectiveness of formal citizen group participation is the level of autonomy the group achieves in relation to the agencies with which they interact (Houghton 1988). Because autonomy gauges self-determination and control, it is of central importance to public empowerment. Citizen groups that achieve greater autonomy retain control over such basic functions as agenda setting for their efforts. As such, groups with less autonomy may find their efforts being shaped according to the agency’s goals.

Power has historically been recognized as a core concept in the study of politics and administration (Long 1949). Traditionally, discussions of power have been rooted in terms of control, where one party has power over another. An oft-cited definition by Robert Dahl described it in relational terms: “A has power over B to the extent that he can get B to do something that B would not otherwise do” (1957, 202-3). In Dahl’s equation, control-based power assumes that B is essentially forced to accommodate A because they operate from unequal power bases. Such an assumption might be true in certain contexts, but not universally. There are other motivating factors besides response to control that could facilitate B’s willingness to accommodate A (Stone 1980).

Control is not the only foundation upon which power can rest. According to Mary Parker Follett, power represents capacity to accomplish desired goals, and control is but one means to exercise that capacity. Alternatively, cooperation – combining strengths to jointly achieve desired goals – is another means to exercise power. This notion allowed Follett to distinguish “power with” from “power over” which has been so
common in traditional thought (1940, 101). More recently, this theme can be seen in discussions of “shared power” in inter-organizational collaboration (Crosby and Bryson 2005, 17).

The cooperative bases of power were also recognized by James Burns (1978). Like Dahl, Burns saw the power relationship as one between power holders and power recipients, and noted that these parties often operate upon different power bases. The resources which make up a holder’s power base, however, can only influence a recipient to the degree that those bases are relevant to the latter party. In laying the groundwork for his distinction between transactional and transformational leadership, Burns described a relationship where, “Power bases are linked not as counterweights but as mutual support for common purpose” (1978, 20). Getting purpose and intention to align is another form of power, one that can be mutually beneficial as opposed to one party gaining at the expense of another (Feldman and Khademian 2000).

Given that administrative decision-making power is rarely transferred wholesale to citizens, but rather results in degrees of power-sharing, a more nuanced conception suggests that the public’s participation is empowered to the degree that it generates “policy impact” (M. Kweit and Kweit, 1981, 126), or that “decisions generated by these processes determine the actions of officials and their agencies” (Fung 2004, 4). This view of empowerment has been used in more recent typologies of participation impact (International Association for Public Participation 2007), and represents a “hybrid” approach, somewhere between absolute citizen control and complete administrative discretion (Timney 1998).
The Dual Roles of Public Administrators. Figure 2-1 depicts the basic elements of public empowerment, simultaneously distinct yet connected, as in the building blocks of an arch. Administrators play a dual-role in public empowerment, influencing both its processes and outcomes. First, they help create the conditions of formal and instrumental empowerment by shaping the venues in which the public participates and providing information and other critical resources to build participant capacity. Second, they influence the substantive empowerment of the public by complying (or not) with its expressed interests. The processes and outcomes of empowerment are directly impacted by the administrator’s willingness to blend more democratic means with dominant administrative values and goals (R. Kweit and Kweit 1980) and through their level of responsiveness to citizen input (Yang and Callahan 2007; Bryer 2007, 2009). Thus a crucial connector between formal empowerment processes (i.e. government transparency and public participation) and instrumental and substantive empowerment outcomes, is administrative responsiveness.

Figure 2-1. Key Components of Public Empowerment Processes and Outcomes
Administrative Responsiveness and Public Empowerment

Stewart (2007) discusses citizen participation as a two-round game of interactions between citizens and administrative officials. In his view, citizens and administrators are pitted against one another, each with conflicting policy preferences, and each side seeking to maximize its agenda-setting and decision-making control. The first round focuses on the establishment of participation processes, where the rules of engagement between citizens and administrators are articulated. The second round focuses on citizen-administrator interactions and the resulting outcomes. In his estimation, the party that controls the rules of participation ultimately has power to shape its outcomes as well.

Similarly, with regards to public empowerment stemming from mandated participation, there are two significant areas in which administrative responsiveness must be considered. First is the issue of responsiveness to the political mandate for the empowerment reform, what Thomas Bryer refers to as “dictated responsiveness” (2007, 483). Dictated responsiveness directly shapes the structure of public involvement and in large measure determines how impactful the public is allowed to be. Second, once participation has been established, administrators must respond to the public’s actual (and ongoing) input in the decision-making process. Each of these aspects of responsiveness – to the political mandate and to the resultant citizen input – becomes a point at which to gauge the administrators’ willingness to share power with a participating public and the level of impact the public is granted in the participation process. Recognizing this also raises questions about the types of factors that might facilitate an increase in administrative responsiveness to direct public interaction.
One early attempt to address this came from Robert and Mary Kweit (1980), who put forward a model of bureaucratic responsiveness (they called it responsibility) that reflects the conception of empowerment used in this dissertation. To them, “responsibility means something more than an occasional governmental response to demands of citizens,” but rather is a “relationship between the government and the citizens in which the citizens can influence governmental decisions” (648). Furthermore, administrative responsibility is directly determined by how tolerant administrators are of public involvement, which is in turn a byproduct of the resources citizens possess and the environment in which the call for participation emerges. They conjectured that the more that citizen involvement aligns with bureaucratic forms and goals, the more facilitative and responsive administrators would be. Subsequent elaborations on their model also included the specific structures of participation and agency characteristics as key variables influencing the public’s policy impact and the redistribution of power, including legal standing and autonomy to organize and concentrate citizen efforts (M. Kweit and Kweit 1981).

Jane Mansbridge (1983) wrote of democratic polity as reflecting either an adversary or unitary model. While her specific focus was on relationships among citizen actors, the models she suggested were likewise pertinent to the citizen-administrator interactions, and the prospects and implications of public empowerment reforms. For example, if an adversarial view predominates, administrators would likely be less willing to cooperate with and meaningfully engage participating citizens. The challenge becomes one of finding and pursuing common goals in a spirit of cooperation. Unfortunately, this is made more difficult when the mandate for citizen involvement
stems from a prescription for oversight that seemingly pits one side against the other in a spirit of competition. Therefore, the tone of interaction is considered to be an important aspect of public empowerment.

This theme of finding common ground between citizens and administrators was discussed more recently by Terry Cooper and his colleagues (2006), who described the potential for repositioning the public to a central role in governance decisions. Citing Mansbridge’s distinction between adversary and unitary models, Cooper et al. wrote that deliberative approaches – which “seek to create a universal ‘us’” – are characterized by “dialogue among different types of people, joint action, and shared responsibility for outcomes” (2006, 82). These characteristics are vital to establishing a collaborative relationship between citizens and administrators.

Public administration in a democracy must consider broad societal goals, including the development of democratic polity (Kirlin 1996). Even so, there is an implicit and inherent tension between the public values of citizen access and administrative expertise (Simonsen and Robbins 2000). The demands to effectively address public concerns, combined with the consistent push for greater efficiency in doing so, have contributed to the emergence of technical competence as a dominant administrative value (Kaufman 1956). Further, this has given rise to the steady professionalization of public service careers, and has created challenges for opening up governance to more direct citizen involvement. Citizen participants may be perceived as lacking the technical expertise required to address major public concerns (Hadden 1981; Stewart 2007). This can be a source of disconnect as administrators grapple with how to balance their own expertise with the input provided by the public.
Undoubtedly, administrators, with their technical knowledge and expertise are in a stronger position to control the processes of participation, and thus a greater influence over the outcomes. However, with increased participation experience, citizens may position themselves to leverage and demand increasing influence on agency decisions (Stewart 2007). In other words, citizen-participants who gain experience in engaging public administrators may simultaneously yield dividends in empowerment. Government actors can also help facilitate this growth in citizen understanding. Indeed, Simonsen and Robbins suggest that, “As more government processes open up to citizen input, the need for citizen education and the need to provide citizens with the highest quality of information become more pronounced” (2000, 11). Thus administrators’ willingness to share information and engage citizen participants in meaningful ways is paramount to understanding public empowerment.

In choosing what information and resources to share with citizen participants, administrators make rational calculations of the costs and benefits these transactions accrue. For example, Irvin and Stansbury (2004) found that administrators were more likely to perceive lower costs of information sharing when the information was less technical in nature, or when the capacity of citizen participants was sufficiently high that they required less help in understanding it. Despite the perception of high additional administrative costs in the short run, the longer-term benefits of providing capacity-building support to individual and group participants may be enough to influence administrators towards more meaningful public inclusion. Ultimately, such efforts may strengthen a sense of institutional legitimacy for governance mechanisms (Moynihan 2003).
Recent empirical work has contributed to our understanding of administrative responsiveness. For example, Yang and Callahan’s (2007) survey of local government administrators found that external stakeholder pressure was positively associated with bureaucratic responsiveness to public involvement, particularly when that pressure came from elected officials. Furthermore, personal values regarding participation also shaped administrators’ responsiveness, but this was strongly tempered by both time and resource constraints present in the administrative environment. Similar findings were reported by Yang and Pandey (2007) in their study of state health and human services agency administrators, but they also noted a significant role of media-driven public opinion in eliciting administrative responsiveness. Each of these studies adds to our understanding of various external stimuli and constraints that shape administrative responsiveness to direct public participation.

Handley and Howell-Moroney (2010) found that local government Community Development Block Grant (CDBG) administrators, who reported feeling more accountable for grant performance, were more likely to engage in higher levels of citizen involvement. Administrators were also more likely to attribute a greater level of influence to citizen involvement on final CDBG budget decisions. It was unclear whether these findings were the result of administrators proactively reaching out to be more inclusive of the public. Nevertheless, the findings highlight the importance of administrator perceptions regarding performance accountability in deciding how deeply to engage the public.

Finally, in his examination of citizen-administrator interactions in Los Angeles neighborhood councils, Thomas Bryer (2009) purported an increase in responsiveness
when there was a relationship of trust, when there was a sense of goal alignment between citizens and administrators, and when there was a willingness on the part of administrators to learn from the citizens. Central to these propositions were questions about whether agency officials “rely on their expertise for decision making,” whether they were “open to partnerships,” and what their rational expectations for benefitting from citizen involvement may have been (277). The empirical research corroborates much of the early theoretical work on administrative responsiveness to public input as previously described.

**Qualitative Differences in Responsiveness.** As already noted, many empowerment process reforms, such as calls for greater transparency or direct public participation, come forward during times of environmental turmoil and under conditions of public distrust of government. Such circumstances, especially if they involve negative attention in the press, can have a chilling effect on responsiveness to empowerment reforms (Yang and Callahan 2007). On the other hand, public agencies may be receptive to empowerment reforms as a form of damage control and a way to restore and strengthen their public legitimacy in turbulent environments. In his study of a specialized public hearing process in Washington D.C., Moynihan (2003) found that public managers were often responsive to working with citizens because the process served to strengthen the legitimacy of the decisions being made. Restoring public trust has very high potential to benefit government agencies, and would logically be considered in the cost-benefit calculation of responding to empowerment reforms (Moynihan 2003; Irvin and Stansbury 2004). Responsiveness, therefore, may reflect administrator perceptions of the motives behind calls empowering the public. As noted by Stuart Langton: “On the one hand,
citizen participation is a control mechanism when citizens perform a monitoring or ‘watchdog’ function. On the other hand, citizen participation provides an assistance function regarding agency decisions. Ironically, citizen participation may represent either a threat or a way of reducing threats to an agency” (1978, 7).

In a twist on traditional notions of buffering, the rational strategy to addressing environmental threats may sometimes be to increase openness – or at least give the appearance of doing so – as opposed to closing off from the environment.

Where participation is mandated by political overseers, administrators face a decision of how deeply to respond. One alternative would be not to comply at all, and take whatever consequences may come. Another response is partial compliance, strategically choosing which aspects to implement to meet the letter of the law with minimal disruption to agency routine. Some administrators may choose to follow the mandate explicitly, focusing on the letter-of-the-law but avoiding the more normatively based spirit-of-the-law. While such dogged attention to compliance may indicate high responsiveness, it could also be a manifestation of that most curious form of sabotage of simply “working to rule” (Miller 2007, 99).

There are, of course, more genuinely empowering forms of administrative responsiveness to mandated participation. King et al. distinguish between authentic and unauthentic participation, with the former entailing “deep and continuous involvement in administrative processes with the potential for all involved to have an effect on the situation” (1998, 320). Authentic participation is characterized by greater mutual trust between citizens and administrators. This relationship of trust depends largely on a framework of reciprocal exchange approaching actual dialogue (Bryer 2009). Within
such a framework of reciprocity, the government agency and the participating public alternate roles as information senders and information receivers.

Unfortunately, administrators may pursue the appearance of empowerment though transparency and participation, yet structure such involvement superficially in order to maintain control over decision making power and to minimize public impact (Steckler and Herzog 1979). Unauthentic participation represents a closed, nearly one-sided approach to administrative interactions. This of course would fit with Thompson’s (1967) discussion of buffering strategies and protecting the agencies technical core. However, this type of superficial response also creates a major hurdle to actual citizen impact (King et al. 1998). When this occurs, citizen input becomes ineffectual, being relegated to the realm of symbolic participation (Rich et al. 1995).

As described previously, reforms promising broader inclusion in public decision-making typically have strong normative undertones touting their role in fostering democracy. However, the inherent rhetoric often plays on an underlying sense of distrust for the work of public officials – a need for oversight to ensure accountability. Such a tone may put public administrators on the defensive in relation to the participating public. Furthermore, an administrator working from a base of expertise and in an environment which places efficiency as a guiding value may experience goal conflict in carrying out mandates for public inclusiveness (R. Kweit and Kweit 1980). Indeed, Frederickson has noted that “in its concern for efficiency, timeliness and order, public administration tends to avoid mechanisms for the expression of interests” (1997, 46).
Meeting Expectations or Keeping up Appearances? A superficial administrative response – either to the political mandate for public inclusion or to the public’s input through formalized participation channels – potentially does more harm than good, particularly if its implementation fails to meet the expectations set through the mandate. Managing expectations is a central concern to the public administrator (Dubnick and Romzek 1993). Failure to meet the public expectations set in the mandates delegitimizes participation structures, weakens public perceptions of governance, and perpetuates a sense of helplessness among those hoping to get involved and influence public affairs. The resulting disappointment of unmet expectations can drive participants away from public involvement (Hirschman 2002), and create broad and devastating effects on democratic governance structures (Frederickson 1997). Therefore, a conceptual framework of public empowerment must also attempt to account for the locus and role of expectations in shaping empowering processes and outcomes.

Figure 2-2 depicts a conceptual map of the relationships in the public empowerment process, adapted in part from the literature cited above. It offers a starting point from which to delve more deeply into notions of empowerment through mandated participation and information-sharing structures. Typically, calls for empowerment emanate from a broader political climate, within which some precipitating trigger event or events raise public concern over governance structures. These shape not only the details of the mandate, but also the environment in which the targeted organization must interpret and respond to the requirements.
Figure 2-2. Conceptual Map of Public Empowerment Concepts and Relationships

Mandate for Public Inclusiveness

Organizational Values
- Decision making premises, bureaucratic values

Environmental Conditions
- Context, pressures, constraints

Citizen Resources (ex ante)
- Knowledge, skills, abilities

Organization Characteristics
- Resource base, agency structure

Administrator Openness (ex ante)
- Tolerance for participation, perceived benefits to self and organization

Participation Structures
- Participation type, timing, structure, autonomy, support, selection, goals

Participant Group Capacity
- Experience, knowledge, and skills acquired through participation

Administrator Openness (ex post)
- Administrator perception of roles, willingness to share power

Tone of Interaction
- Goal alignment, adversarial or collaborative

Public Impact/Empowerment
- "relationship between government and the citizens in which the citizens can influence governmental decisions"

Response to the political mandate depends on administrator openness to citizen involvement. This openness is shaped directly by organizational values and characteristics, and indirectly via perceptions of what the citizens have to offer (i.e. citizen resources) and the needs of the organization stemming from environmental conditions. The participation structures that emerge are a gauge of responsiveness to the political mandate itself, or in other words, a gauge of formal empowerment. Participation structures both directly and indirectly effect the public’s final influence on policy decisions (public impact/empowerment), by creating a tone of interaction between the parties, and through the sharing of information and key resources to aid the citizens in their efforts. The responsiveness (or lack thereof) of administrators to public input will continue to set expectations and shape the tone of citizen-administrator interaction.

While the elements depicted in figure 2-2 have been recognized in the extant research literature as relevant to shaping public impact on administrative decisions through direct participation, there remain several important gaps in our understanding of these concepts. First, though it has been theorized that the tone of interaction would impact administrative responsiveness to citizen input, little is known about the factors that influence how the tone of interaction develops, both initially and over time, as well as how this shapes administrator decisions to share resources and decision-making power with citizens. Second, while citizens may or may not bring important resources to the table initially, they do potentially acquire additional capacity, both individually and as a group, through the participation process. More understanding is needed on how participation structures shape participant capacity, and ultimately on how this influences public empowerment. Finally, though not depicted in the map of conceptual
relationships, both citizen and administrator expectations are set and managed at numerous points in the participation relationship. There is a need to better understand the role and impact of these expectations in order to derive a more fully developed theory of public empowerment. The next chapter describes the policy context in which this dissertation research is framed to begin filling these gaps in our present understanding of public empowerment through mandated participation.
CHAPTER THREE

STUDY CONTEXT

The previous chapter broadly examined the literature and existing theory relevant to mandated participation and public empowerment in an attempt to provide a basic conceptual framework for the current research. This chapter examines more closely the policy and administrative context in which the present research is developed, specifically citizen participation in the state provision of child protective services. The aims of this chapter are to describe: 1) the evolution of government involvement in child protection; 2) the emotionally-charged nature of child abuse and neglect cases, and the impact this has on public perceptions and agency policies; and 3) the impetus and development of mandated public participation and information-sharing reforms relevant to state child protective services.

The Role of Government in Child Protection

A number of recent high-profile abuse cases have once again drawn attention to the work of state child protection agencies. Some of these cases, for example, have reinvigorated public conversations about the proper channels for informing authorities of child abuse and neglect, and the extent to which an individual is responsible to report such information. Others raise important questions about the actions taken (or not taken) by government agencies to protect children perceived to be in danger – so-called agency

---

2 Near the end of 2011, the former assistant football coach at Penn State University was accused of sexual abuse by numerous boys over a period of many years, with at least one instance witnessed in the team’s shower area by another coach. The investigation revealed that too little was done to report the incidences to the authorities. Ultimately this led to the dismissal of the team’s famed head coach as well as the university president.
sins of commission or omission. The deviant nature of child abuse and child neglect clearly falls outside of widespread societal norms and values, making it difficult to imagine someone not being repulsed by their different forms. However, less agreement exists in defining abuse and neglect, with still less on how child welfare and protection should be pursued. Many of these disagreements revolve around questions about the role of government in protecting vulnerable populations – including children – and just how much intrusion should be allowed in the home and family setting.

In the United States, overt government involvement in child protection emerged in the late nineteenth-century, and wasn’t strongly formalized until early in the twentieth-century. Before that time, child protection, if pursued at all, was led by private charitable organizations and children’s aid societies (Schene 1998). Government intervention grew upon the legal concept of parens patriae, a doctrine “that asserts the government’s role in protecting the interests of children and intervening when parents fail to provide proper care” (Goldman et al. 2003, 51). The power to intervene in family life, including the possibility of removing children from their parents, often makes child protection a highly contentious policy area.

While state and local government roles in child welfare solidified earlier, a significant federal interest emerged in 1912 with the creation of the Children’s Bureau. This new federal agency was initially placed under the Department of Commerce, but was soon moved to the Department of Labor the following year. This choice for organizational settings – from Commerce to Labor - reflected an early focus on child

---

3 A tragic murder-suicide in Washington involving a father and his two sons raised questions about the state’s decision to continue granting visitation, even with numerous warning signs of danger. Not only was he the main person of interest in the disappearance of his wife (and the boys’ mother) in Utah two years prior, but he had also been ordered to undergo psychosexual evaluation because police had found highly disturbing pornographic depictions during prior searches of the home.
labor concerns. Later the emphasis of the Children’s Bureau would shift towards issues of welfare and health, with subsequent moves to the Social Security Administration in 1946, and later to the Department of Health, Education, and Welfare in 1962. Today, the Children’s Bureau is housed in the Department of Health and Human Services, within the Administration for Children and Families.

**National Attention on Child Abuse.** In the early 1960s, the umbrella of child welfare grew to cover additional areas such as the protection of children from various forms of abuse. An increased awareness of the poisonous problems of abuse and neglect is attributable, at least partly, to research published in prominent medical journals, where terms such as “battered child syndrome” first entered the public lexicon (Kempe et al. 1962). The ensuing public dialogue included numerous calls for more concerted efforts to track specific instances and larger trends regarding abuse and neglect (Schene 1998).

By 1967, every state had enacted legislation regarding the reporting of child abuse to public authorities (Stoltzfus 2009).

In 1974, the federal government brought concerns of child abuse and neglect to even greater prominence with the passage of the Child Abuse Prevention and Treatment Act (hereafter, CAPTA). By making some (albeit limited) grant funding available, this act encouraged states to begin more systematic efforts to examine and address child maltreatment. The original CAPTA legislation also established parameters for defining abuse and neglect, promoted the tracking and measurement of these phenomena through the National Center on Child Abuse and Neglect (which it created, and later replaced with the Office on Child Abuse and Neglect), and encouraged states to conform their mandatory reporting requirements to a federal standard.
Though some debate over its successes and failures has ensued (see for example U.S. House of Representatives 2001), CAPTA remains an important part of an expansive intergovernmental child welfare focus. The legislation has been reauthorized multiple times, including most recently in 2010 (CAPTA Reauthorization Act of 2010). Over time it has evolved to include both formula and discretionary grant components. Based on specific eligibility requirements (discussed more in-depth later in this chapter), state grants are distributed to improve child protective services. Additional formula grants are available to strengthen community-based services and to improve the prosecution of child abuse cases, and discretionary grants are offered to pursue research and demonstration projects dealing with issues of child abuse (Stoltzfus 2009).

Table 3-1 shows the major streams of federal-to-state child welfare funding, comparing grant funds in fiscal year 1999 with those made a decade later in fiscal year 2009. By far the lion’s share of federal funds distributed sub-nationally for child welfare purposes originated in provisions of the Social Security Act. Child welfare funding through federal grants to states from these key provisions are substantial, and have increased from $7.9 billion to $9.4 billion in that time.

Any number of factors may influence funding levels, including an ever-changing political climate or shifts in federal agencies’ goals and priorities. The dramatic increase in adoption assistance and family stability funding is at least in part a reflection of greater focus on permanency efforts for children, with either out-of-home placements or in-home care. Though more moderate, the increases in foster care and independent living funds demonstrate a continued emphasis on foster programs. Indeed, the sheer amount of foster
care funding coming from Title IV-E – accounting for nearly half of all child welfare funds to states – bears this point regarding policy priorities.

Table 3-1. Major Sources of Federal Child Welfare Funds to States, 1999 & 2009

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IV-E (Foster Care)</td>
<td>$4,012</td>
<td>$4,460</td>
</tr>
<tr>
<td>Title IV-E (Adoption Assistance)</td>
<td>$842</td>
<td>$2,371</td>
</tr>
<tr>
<td>Title IV-E (Independent Living)</td>
<td>$70</td>
<td>$185</td>
</tr>
<tr>
<td>Title IV-B (Child Welfare Services)</td>
<td>$292</td>
<td>$282</td>
</tr>
<tr>
<td>Title IV-B (Promoting Safe and Stable Families)</td>
<td>$275</td>
<td>$408</td>
</tr>
<tr>
<td>Title XX (Social Services Block Grant)</td>
<td>$2,380</td>
<td>$1,700</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$7,871</strong></td>
<td><strong>$9,406</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CAPTA²</th>
<th>FY 1999</th>
<th>FY 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Grants</td>
<td>$21</td>
<td>$27</td>
</tr>
<tr>
<td>Discretionary Activities</td>
<td>$14</td>
<td>$42</td>
</tr>
<tr>
<td>Community-Based Grants</td>
<td>$33</td>
<td>$42</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$68</strong></td>
<td><strong>$110</strong></td>
</tr>
</tbody>
</table>

Note: $ in millions
¹U.S. House of Representatives (2008); ²Stoltzfus (2011); ³Lynch (2011)

With all the funding increases shown in the table, only two sources of funding declined. The first was a slight reduction in Title IV-B funds for child welfare services. By far the more drastic cuts, however, were those pertaining to Title XX of the Social Services Block Grant Title XX provides states funding for a wide-variety of child welfare services, including child protection initiatives. In 2006, 42 states used some funds from this source specifically for child protection programs, representing over 11 percent of all Title XX funds expended that year (U.S. House of Representatives 2008). However, the dramatic reduction in funding of the Social Services Block Grant in recent years has made states even more reliant on other sources to help specifically with child protection services. Though it is a comparatively small source of funding, the CAPTA grants are the only federal grants targeted specifically to this area, and therefore, remain an
important component of the federal-state grants for child welfare. Furthermore, they are entirely federally funded, with no outside match required. This allows the states to leverage the grant funds without exhausting other resources.

State Administration of Child Protective Services. While the above discussion highlights an expanded federal role in funding child welfare related programs (and by that fact, its expansive influence on policy and practice), it is important to note that actual child welfare programs continue to be handled sub-nationally, by state governments and their counties as administrative arms. Child welfare cuts a wide swath across the public service spectrum, including social and human services, law enforcement and the justice system, physical and mental health programs, and education, to name just a few. Within this mishmash of organizations and agendas, state child protective service (CPS) agencies work to protect minors from abuse and neglect.

An examination of structures across the states reveals three general arrangements for the administration of child welfare, differing mainly in the level of administrative discretion given to local agencies. According to data collected by the Children’s Bureau (Child Welfare Information Gateway 2012), the overwhelming majority of states (38 of 50) administer child protection centrally. In an additional nine states, counties directly administer child protection, with the state government filling only a supervisory role. The remaining three states are a sort-of hybrid in state-county administration. Figure 3-1 below shows the distribution of these various arrangements across the states.
Figure 3-1. Administrative Structures of State Child Protective Services

Volatile Policy Arena. Though child abuse policy is strongly guided by federal and state governments, the impacts of abuse and neglect fall most heavily on individuals and families in their local communities. Perhaps for this reason, stories related to child abuse elicit such strong emotional responses in people because the nature of the topic hits so close to home. When perceived agency shortcomings are featured prominently in news stories, equally strong emotions appear likely to be channeled towards officials who can push for administrative reforms.

Child protective services operate in a unique environment. Structural and legal constraints practically ensure that when CPS is brought under public scrutiny, it is nearly always in a negative context. Confidentiality requirements force public agencies to keep
“successes” internal to the organization. Perceived failures, on the other hand, are more likely to be revealed because other agencies are involved (i.e. law enforcement, courts, schools), disclosure requirements are imposed, and – perhaps most importantly – the shocking nature of such stories attracts media attention.

Because of the highly-charged and emotional nature of many maltreatment cases, child protection appears to be particularly susceptible to reactive policymaking. Perceptions of scandal or agency neglect can be a powerful impetus in setting child protection policy agendas (Gainsborough 2010). For example, to counter negative attention for perceived laxity in the performance of child protection functions, state agencies may institute policies and practices which could be perceived as overreaching. In turn, public outcries regarding an overzealous agency may spawn more relaxed policies and practices. This recurrent back-and-forth brings to mind the image of policy being “set by the pendulum, which swings from crisis to crisis” (Orr 1999, 4).

To carry out their stated functions, child protection agencies rely on a high-level of administrative and front-line discretion. This allows child protection agents to do their job, but also forces them to walk a precariously fine line between doing too much and not doing enough to protect children. When that balance is upset in either direction, policymakers may react by promising greater public empowerment through more direct means of citizen participation (Rich et al. 1995). This is seen as a way to pursue democratic control of the bureaucracy (Gruber 1987). We turn now to a look at how specific public empowerment reforms, including a mandate for increased public participation, have been introduced in state child protection systems, providing the context for the dissertation research.
Citizen Participation in State Child Protective Services

To understand the evolution of public empowerment initiatives in state child protective services requires a brief overview of mandated participation provisions in the broader intergovernmental grant system. As previously described, federal mandates for citizen participation began in earnest during the 1960s. The number of grants containing participation requirements skyrocketed in the following decades, particularly in the areas under Health, Education and Welfare (Advisory Commission on Intergovernmental Relations, 1979).

In the 1970s, President Nixon’s “new federalism” presented a philosophical shift in grant-in-aid programs. A central feature of this philosophy was the push to consolidate the expanding number of categorical grants into block grants and other forms of revenue sharing, in theory to minimize federal oversight and give states flexibility in administering grant funds more suited to their needs. As exemplified in well-known programs like the Community Development Block Grant, these efforts sought “to decentralize control, maximize local participation in the planning and programming of federal resources, and ensure the design of comprehensive strategies to meet community needs and guide community development” (Frej and Specht 1976, 276).

While the direction and tone were set under Nixon, the speed and impact of the new federalism was greatly increased in the 1980s under President Reagan. The focus on devolution to the states found even greater prominence, creating a direct challenge to perceptions of the role of the federal government. Early in the Reagan administration, the passage of the Omnibus Budget Reconciliation Act of 1981 brought a massive consolidation in federal grants-in-aid, as seventy-seven categorical grants were funneled
to just nine block grants, including one for Social Services as previously described (Walker et al. 1982). Normative assertions aside, the following broad characterization of the impacts of this new direction in intergovernmental relations came with important impacts on public inclusiveness:

If it did not call for outright elimination of programs, the ‘new federalism’ specifically (1) redirected all federal aid to state government, (2) reduced federal regulations and requirements, especially those seeking equity standards, (3) reduced or eliminated state and local reporting to federal agencies, and (4) deleted provisions for citizen participation in the formulation and adoption of programs (Gittell 1986, 516).

This last point – that new federalism sought to eliminate citizen participation – is debatable, and merits further discussion. Whether or not participation requirements were systematically eliminated, the motive behind public inclusion appeared to have changed. While mandated participation in the 1960s and 1970s explicitly sought greater equity and inclusiveness by giving voice to those affected by government decisions, under a new federalism rubric, the motive for participation was to provide an added layer of oversight and accountability. In other words, a tangible shift occurred from a paradigm of democratic morality to one of distrustful surveillance as described in the previous chapter. Contextually, such a shift makes sense in a period marked by declining levels of trust in government, and given the strong anti-bureaucracy rhetoric that became increasingly pronounced during that time (Goodsell 2004). This was particularly important in the push towards devolution and deregulation that characterized Reagan’s approach to intergovernmental relations (Wright 1988). If the federal government was to be less involved in overseeing states, accountability must be sought in other ways – in this case from the bottom up.
Legislating Participation in Child Protection. As noted earlier, the Child Abuse Prevention and Treatment Act (CAPTA) was first passed in 1974, during the proliferation of increased mandates for participation. However, the original legislation contained no such provisions. More than two decades would pass before the CAPTA grants included requirements for participation in state child protective services. The timing of introducing this requirement is significant because one can clearly trace its origins to an environment and paradigm of distrustful surveillance. This matters because the environment in which participation mandates are created is expected to shape the form and substance of citizen-administrator interactions (R. Kweit and Kweit, 1980).

In January 1995, Republicans took control of both the Senate and the House of Representatives for the first time since the mid-twentieth century. Riding high on promises stemming from their “Contract with America”, the 104th United States Congress undertook several significant legislative efforts relating to the funding of child abuse prevention. Introduced nearly simultaneously in early 1995, the Personal Responsibility Act (hereafter H.R. 4), the Welfare Reform Consolidation Act (hereafter H.R. 999), and the Welfare Transformation Act (hereafter H.R. 1157), each originated in the House as part of a major push towards block granting welfare funds. Among other things, provisions in the legislation would have rolled CAPTA-related funds within a larger welfare-related block grant.

The progression of this legislation, including the mandates for public participation is shown in the timeline portrayed in figure 3-2. The numbered, shaded boxes show where the mandate for citizen participation in child protective services first emerged. H.R. 1157 proposed the creation of citizens review panels as an eligibility requirement
for the welfare-related block grant funds. This bill, along with H.R. 999 eventually merged into what became the Personal Responsibility and Work Opportunity Act of 1995, where the language related to citizens review panels was retained. While this legislation was ultimately vetoed by President Clinton, the mandate for citizen participation as an eligibility requirement for child protection grant funds would later be inserted into the reauthorized CAPTA legislation (called S. 919) the following year. As shown in the lettered, clear boxes at the lower-right portion of figure 3-2, after being introduced, debated, and passed in the Senate, the House amended the CAPTA legislation to include the same language regarding citizen review panels from the previously vetoed H.R.4. The reauthorized CAPTA bill, including the mandate for states to create and engage citizen review panels, became law on October 3, 1996.
Figure 3-2. Flow of Legislation Introducing Citizen Review as a Federal-to-State Mandate

<table>
<thead>
<tr>
<th>Jan95</th>
<th>Feb95</th>
<th>Mar95</th>
<th>May95</th>
<th>Jun95</th>
<th>Dec95</th>
<th>Jan96</th>
<th>Jul96</th>
<th>Sep96</th>
<th>Oct96</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   - Introduced 1/4/95
   - Similar to H.R. 999, but includes CRPs as an eligibility requirement for proposed block grant funds.

   - Passed House 3/24/95
   - Incorporates block grant provisions for child protection funds from H.R. 999 and CRPs as an eligibility requirement for block grant funds from H.R. 1157.

3. **H.R. 4 goes through Senate as the Work Opportunity Act of 1995**
   - Received in Senate 3/29/95
   - Passed in Senate 9/19/95
   - Back-and-forth with retaining CRP language.

   - Presented to President 12/29/95
   - CRP language retained
   - Vetoed by President Clinton

A. **CAPTA Reauthorization (S.919)**
   - Introduced 6/13/95
   - Mentions child abuse citizen review panels, no elaboration

B. **S.919 passes in Senate with Coats Amendment No. 4526**
   - Passed Senate 7/18/96
   - Includes CRP requirements

C. **CAPTA Reauthorization (S.919)**
   - Passed House 9/25/96
   - Retains same CRP language from vetoed H.R. 4 regarding eligibility requirement for States receiving CAPTA grants.

D. **CAPTA Reauthorized as Public Law 104-235 10/3/96**

Source: Compiled by author from Congressional data available through the U.S. Library of Congress website (http://thomas.loc.gov/).
**Citizen Review Panels.** According to the CAPTA reauthorization (Child Abuse Prevention and Treatment Act of 1996), to be considered compliant and eligible for continued receipt of specific grant funds, states were given a three-year window (by July 1999) to establish a minimum of three citizen review panels (CRP). An exception was allowed for those states receiving only the minimum funding allotment, which had to establish at least one CRP. So as not to overburden states with the requirement, the legislation included provisions allowing them to use already-existing citizen boards (e.g. child fatality review teams and/or foster care review boards) to meet the CRP requirement, if they wished to do so. The CRPs were to meet at least quarterly, and membership was to be both representative of the community it served and to include individuals with some level of expertise in child protection issues. Under this law, states receiving CAPTA grant money would be obligated to provide adequate assistance – including shared information and other resources – to the panels so that the CRPs could effectively perform their duties.

With the initial grant application (and every five years afterwards), each state was required to prepare a plan for addressing aspects of child protection, including the intake and investigation of reports of child abuse, and how the grant funds would be used to improve these areas. In this light, the citizen review panels were to review policy and procedures of the state and local agencies to assess how well they were adhering to the state plan as well as to other child protection standards. Furthermore, panels should assess CPS compliance with the Title IV-E foster care and adoption programs as well as child fatality reviews. These efforts would culminate in an annual public report detailing
the efforts and recommendations of the panel for improvements in state child protective services.

The role of the CRP later expanded to include not only policy review, but also specific practices used in individual child cases. In 2003, CAPTA was reauthorized once again (Keeping Children and Families Safe Act of 2003). One significant change regarding the CRPs was that state agency administrators were now required to respond to the panel’s annual report of recommendations within six months, acknowledging and detailing how they intended to address itemized concerns. These written responses give the panels a chance to assess their impact, and for all intents and purposes, provide a gauge for the citizen-participants’ substantive empowerment. It is important to note that the state agency is not required to implement the recommendations of the CRP. However, the formal response forces them to acknowledge the panels’ recommendations and justify their own responses (or lack thereof) to them. This forced acknowledgement creates an additional set of expectations that the work of the panel is potentially empowering in terms of impact. Because there is wide variation in state-responsiveness to these citizen groups, there also exists a range of possible empowerment outcomes.

Figure 3-3 highlights the progression of the CAPTA legislation through three distinct phases, each progressing towards greater potentiality of public empowerment. In the first phase, between 1974 and 1996, the CAPTA legislation had no formalized public empowerment mechanisms in place aside from the creation of a centralized information clearinghouse on child abuse and neglect issues – the National Center on Child Abuse and Neglect (NCCAN). According to the original CAPTA legislation, this was not broadly aimed at public dissemination of information so much as a conduit of best
practices between states. After 1996, NCCAN was renamed the Office on Child Abuse and Neglect. However, most pertinent to this study, CAPTA also moved towards both increased public knowledge and inclusiveness, with the mandate that states create CRPs and provide these citizen groups with the information and support they need to accomplish their tasks of examining agency policy and procedure. And finally, after 2003, the legislation added the requirement that states provide written response to the recommendations of the CRPs and increase efforts towards additional public outreach. With each phase, the potential for the participating public to impact administrative decisions was strengthened.

**Figure 3-3. The Evolution of Empowerment in CAPTA**

**Motives for Public Inclusion.** The two timelines described previously help answer when the mandate for citizen participation in child protection entered the legislative discussion. They do not, however, address the reasons why – at least not
explicitly. Yet by examining the various House and Senate Committee hearing reports that preceded the inclusion of the CRP requirements in the 1996 and 2003 CAPTA reauthorizations, it becomes clear that the requirements were motivated by perceived need to hold state child protection agencies to account for their work, and was motivated by a distrust for the discretion given to child welfare specialists.

In the early 1990s, a number of high-profile cases across the nation highlighted what many saw as an overly-intrusive child protection system prone to violate due process and other rights in its handling of alleged abuse cases. In separate Congressional hearings in the House of Representatives, one before the Subcommittee on Early Childhood, Youth, and Families⁴ on January 31, 1995, and the other a joint hearing before the same subcommittee and the Subcommittee on Human Resources⁵ on February 3, 1995, witness after witness decried child protection as a broken system. The overwhelmingly negative tenor of these testimonies was accompanied by calls for greater oversight of state child welfare, not just by federal agencies, but largely by providing greater opportunity for public scrutiny. As one witness stated, “Washington officials don’t feel the same responsibility for the children who are suffering, these children who don’t have faces, but the faces of children that jump out of local newspapers will haunt the townspeople into pressing reforms” (U.S. House of Representatives 1995b, 103).

Overall, these testimonies seem to have been effective in their calls for more citizen oversight of state child protection and have a direct connection to the establishment of the CRP requirement. Indeed, members of these same subcommittees ultimately sponsored or co-sponsored the legislation which included mandates for citizen

⁴ U.S. House of Representatives (1995a)
⁵ U.S. House of Representatives (1995b)
review. From the joint hearing in February 1995, we find perhaps the first reference to increasing public inclusiveness in child protective services through government-organized participation. In his opening remarks, Representative John Ensign suggested that Congress should require states to create boards of citizens to review how social services departments were handling their functions. He further describes the motive behind establishing the citizen groups: “These boards, by making their findings and recommendations public, will bring badly needed sunlight to the obscure system of protecting abuse and neglected children” (U.S. House of Representatives 1995b, 93).

Later, in a report prepared by the House Committee on Ways and Means (U.S. House of Representatives 1995c) where the inclusion of the CRP requirement was more detailed, the vigilance motive was again clearly stated:

By allowing the Panels to have complete access to child protection cases, by requiring Panels to publicize their findings, and by requiring states to respond to criticisms and recommendations of the Panels, the Committee intends to subject states to public criticism and political repercussion if they fail to protect children. The approach is designed . . . to replace the current system of expansive Federal regulations and fines (34).

**Compliance with the CRP Requirement.** Today all 50 states have some form of CRP in place. Almost all were compliant by the 1999 deadline, though at least two states – Indiana and Pennsylvania – lagged in meeting the CRP requirement, doing so in 2005 and 2006 respectively. There is wide variation in how states have implemented the rather vague citizen participation description in the CAPTA legislation, indicating perhaps that some states might take the work of the CRPs more seriously than others.

That universal compliance with the CRP requirement has occurred is in itself curious because the incentives to invest time and resources into the CRPs are seemingly
small. First, the amount of money associated with the state CAPTA grants is minimal. Over the past five fiscal years (FY07-FY12), the total amount to be divided among all participating jurisdictions has been around $27 million (U.S. Department of Health and Human Services 2011). Second, the requirement to work with CRPs may conflict with other administrative goals. At the very least it adds an additional administrative burden to an already overwhelmed staff. Third, there has been little federal oversight of the work of CRPs, including no central repository of annual CRP reports and state agency responses and no concerted follow up on state responsiveness to the recommendations). Finally, the environment in which the CRP requirement emerged was one of high distrust for state child protection agencies, setting up a potentially adversarial relationship with “us versus them” underpinnings. Any or all of these reasons may be enough to cause states to wonder if meaningful engagement of citizens through this mechanism is worth the time and effort.

**Research on Citizen Review Panels.** A number of research studies have examined the work of citizen boards and panels in child welfare, including foster care review (see Jennings et al. 1996; Byrnes 2002), and juvenile offender case review (Litzelfelner 2001). Findings generally suggest positive outcomes stemming from citizen participation in these areas though the statistical strength of the conclusions is reportedly low. Furthermore, the work of foster care review boards and child fatality review teams focuses specifically on one aspect of child welfare. As such, they have a narrower scope than that of the CAPTA-mandated CRPs, which are charged with systemic review of child protective services (Jones 2004). Only recently has the work of CRPs in child welfare been the focus of empirical examination.

---

6 This insight was suggested in an interview with a CRP coordinator I interviewed for this study.
In their review of five different types of citizen involvement in the child welfare system, including CRPs, Blome and Steib (2008) suggested that overall there is a tremendous amount of citizen oversight in child welfare. At the very least it is duplicative; more seriously, this could actually inhibit child protection workers from performing effective child protection. With so much oversight, agencies may become more concerned with covering their bases than with focusing on providing quality services. In summary, it becomes a case of too many eyes and too few hands, as understaffed agencies continue to be tasked with serving growing numbers of people, all while coming under greater public scrutiny.

States have used a variety of formats in organizing CRPs, as the CAPTA legislation is purposefully broad in how states can meet the mandate. As previously described, states can use existing citizen groups, such as foster care review boards or child fatality review teams to meet the requirements. Many states have opted to create new citizen review panels, but have organized them to focus specifically on certain aspects of the child welfare system. For example, Palusci et al. (2010) note that Michigan’s three CRPs were created in 1999, with each one focused on a different area of child welfare, including foster care/adoption, child abuse prevention, and child fatalities. The Fatality CRP is separate from the state’s Child Death Review Board, and studies only those deaths of children known to the child protective services agency in order to make recommendations for systemic improvement. They examine two distinct three-year periods to see what recommendations had been implemented by the state child protection agency, and whether these appear to have impacted child fatality rates. While they are
careful to imply causation, the authors find strong correlation between the work of the CRP and a reduction in child fatalities due to maltreatment.

In a small survey study of CRP members and CPS agency workers in one state, Jones, Litzelfelner and Ford (2003) probed for perceptions of these actors regarding the value of the work of the CRPs. Perhaps not surprisingly, citizen review panel members consistently perceived the work of the CRP as being more important than did the state agency personnel. They also were more prone to suggesting that the CPS was in need of systemic changes. The study also highlighted the notion that state agency employees perceived citizen participants as having insufficient knowledge to make what they would consider informed recommendations. Overall, the findings suggest a substantive gap in the perceptions of panel participants and agency personnel regarding the purposes and potential of the CRPs.

Bryan et al. (2007) employed a multi-method approach including surveys, focus groups, individual interviews, and content analysis of written reports to detail one state’s use and perceptions of the CRPs. Among the findings noted by the authors was the need for more clarity in defining the CRP’s scope and roles, as well as the perceived need for improved training and communication highlighted by both citizen participants and the state agency workers. Panel members lamented a perceived lack of meaningful state agency response to their written recommendations, with a tendency to simply restate or rephrase the recommendations without specifying the agency’s intentions to act upon them. Such unresponsiveness fosters a sense of futility in CRP efforts, and may exacerbate notable challenges, such as retention and future recruitment of citizen participants.
While the language in the CAPTA legislation calls for the citizens’ panels to be broadly representative of the communities that they serve, demographic surveys of participants indicate that the groups are skewed to participation by highly educated, middle-age females (Jones and Royse 2008a). Additionally, a very high proportion of CRP members come directly from social service professions, though perhaps outside of the state child protection agency (Bryan et al. 2010). Even though these participants come with advanced degrees, often including relevant experience in professions related to child welfare, customized training is needed for them to be effective in carrying out the functions of the CRP. This training becomes particularly important for individuals with no experience working within a large bureaucracy such as a state child welfare system (Collins-Camargo et al. 2009).

Aside from training needs, other challenges to the effective work of CRPs include a lack of funding and a perception of defensive posturing by the state agency (Jones and Royse 2008b). This last point is directly relevant to perceptions of distrust that seem to characterize many relationships between the agency and the citizen participants (Jones 2004; Collins-Camargo et al. 2009). A lack of trust between citizen groups and the state agencies has serious implications with regards to perceptions of the effectiveness of the CRPs (Bryan et al. 2010).

Finally, in perhaps the most expansive study on CRPs, Bryan et al. (2010) surveyed panel members and panel coordinators across the nation regarding their perceptions of the effectiveness of citizen review panels in state child welfare. With usable responses from panel members representing 32 states and coordinators representing 30 states, their statistical analyses revealed several important findings. First,
two very strong, positive predictors of CRP group effectiveness are the panel members’ perceived level of group cohesion and the level of information flow between the CRP and the state agency. Second, information flow and the degree of perceived self-governance (i.e. group autonomy) were both strongly and positively correlated with the perceived ability to impact child welfare policy and practices.

**Gaps in Understanding.** The previous chapter noted several important gaps in our understanding of the potential empowering effects of government mandated participation, which justify the need for further theory development in this area. These include a need to better understand: 1) the factors that influence the tone of interaction between citizen-participants and public administrators when these two groups are brought into closer proximity through mandated participation; 2) how the tone of the relationship shapes administrator decisions to share information and other resources with formally organized citizen groups; 3) how participation structures impact participant capacity and how this, in turn, influences the potential impact of citizen participants; and 4) the important role of expectations in realizing public empowerment.

Citizen review panels in state child welfare provide a unique context in which to examine these issues. Research on the work of these groups has largely been confined to the social work literature. This literature has noted a substantive gap between agency and CRP perceptions of each other’s roles and importance. Consistent with the pursuit of filling the theoretical holes noted above, this dissertation will provide greater understanding of the roles and expectations that CRPs have in relation to the state agencies with which they work, and vice versa. Furthermore, the extant literature on the work of CRPs notes a perceived underlying distrust which characterizes many CRP-
agency relationships. However, little in-depth examination has been done to determine the factors which seem most crucial in setting the tone of these relationships. This dissertation specifically aims to address this shortcoming. Finally, this dissertation extends the limited literature on CRP effectiveness in shaping policy outcomes by examining various aspects of empowerment largely absent from previous research.
CHAPTER FOUR
METHODOLOGY

Chapter Two and Chapter Three, respectively, reviewed the broader literature relevant to a study of government-mandated citizen participation, as well as a more contextual overview of the specific policy area with which the present study is concerned. After briefly restating the goals of the study, the current chapter discusses the methodological approaches for the research. This includes a description of the criteria used in selecting the specific case sites, the efforts taken to collect and analyze the data, and the methods used to strengthen the validity of the study’s findings and resultant theoretical insights. The purpose of the present chapter is to tie together the framework for the study, and to transition into the data analysis and case-development of the sections that follow.

The Goals and Purpose of the Study

Government mandates for public involvement commonly include elements of information-sharing and the formation of structured participation venues. The literature suggests that such conditions potentially, but not necessarily, alter power relationships between administrators and the public, by giving the latter group more opportunity to influence agency decisions and outcomes. However, given the complexity of citizen-administrator relationships, the dearth of well-defined theories of public empowerment, and the relative paucity of research on the processes and outcomes of mandated participation, there are gaps in our current understanding of the impacts of infusing such democratic frameworks within bureaucratic settings. This study aims to narrow these conceptual gaps, by developing an improved theoretical framework for understanding the
processes and outcomes of mandated public participation and their potential to empower citizens. It focuses on answering two broad research questions:

**Research Question #1:** When public inclusion is mandated, what factors influence the structure and quality of citizen-agency interactions?

**Research Question #2:** What are the outcomes of formal, government-initiated public inclusion?

**The Methodological Approach**

A comparative case design was utilized to address the study’s guiding research questions. Each case was developed and examined through widely-accepted qualitative approaches. The choice of design fits with the theory-development goals and purposes of the study by allowing the researcher to more deeply examine relationships and interactions within the contexts in which they occur, and to ask questions that are less amenable to quantitative approaches (Maxwell 2005; Miles and Huberman 1994). This is accomplished, at least in part, through a systematic pursuit of “insider” (Creswell 1998, 16) or “participant-oriented” perspectives (Glesne 1999, 9). Such approaches strengthen the explanatory theoretical frameworks derived through their systematic and rigorous employ.

The emergent theory in this study is grounded in the literature described previously, but most importantly, in the research data itself. Grounded theory as a research methodology has gained significant traction throughout the social sciences since it was first introduced by Glaser and Strauss in the late 1960s, and has become increasingly influential in public administration research (see for example: King et al. 1998; Agranoff 2007; DeHart-Davis 2009). The principal benefit of this approach is its
flexibility in allowing unforeseen themes and issues to materialize from the data through constant comparison of codes and categories (Strauss and Corbin 1998; Creswell 1998). Though clearly inductive (Lincoln and Guba 1985; Tummers and Karsten 2012), grounded theory “is not at all the ‘completely unstructured’ process that is so daunting to new researchers” (Miles and Huberman 1994, 58). The systematic and rigorous nature of the methodology has allowed social scientists to successfully adapt positivist elements in their use of grounded theory, even finding guidance from existing conceptual frameworks. Agranoff (2007), for example, describes his study of network typologies as a “focused and bounded inductive approach” (39). Such a description applies to this research as well.

Figure 4-1 depicts a basic flow of grounded theory research, as envisioned by McNabb (2002). Though the natural inclination of the eye is to follow this sequentially, it is important to note that data collection, coding, categorization, and theory development are concurrent activities. Indeed, grounded theory approaches have been characterized as “nonlinear and iterative” (Dehart-Davis 2009, 364). Data collection, coding, categorization, and theory development are engaged concurrently. The process allows themes to emerge from the data as the research engages in theoretical sampling, which Strauss and Corbin define as “data gathering driven by concepts derived from the evolving theory” (1998, 201). The process continues until no new data, or data that is only marginally constructive to new theory is being revealed – a point described in terms of reaching saturation (Strauss and Corbin 1998; Creswell 1998).
Figure 4-1. Model of the Grounded Theory Data Collection and Coding Processes

Stage 1
Identify a topic of interest and select the
grounded theory research approach

Stage 2
Determine purpose(s) for the research

Stage 3
Select a group or sample to study

Stage 4
Collect research data

Stage 5
Open (preliminary) coding
of data as it is collected

Stage 6
Theoretical coding for theory development

Stage 7
Develop Theory

Personal Interviews
Naturalistic
observation
Document
analysis

Case Site Selection

Selection Strategy. Three states were selected for in-depth analysis and case development: Kentucky, Utah, and Pennsylvania. A purposive selection strategy was used to ensure diversity among the cases in the study, and to increase the richness of within- and cross-case comparisons. The logic behind this non-random approach to case selection is a hallmark of many qualitative studies, where generalization is less the aim, but rather where the goal “is to select information-rich cases whose study will illuminate the questions under study” (Patton 1990, 169). Variation between the cases was gauged upon a range of characteristics noted in the literature reviewed in Chapter Two as being important to citizen participation effectiveness. Principally, this included elements of the responsiveness of the state to the mandate for citizen inclusion, and indicators of citizen group autonomy in the participation process, as described more in-depth below. The richness of information was amplified by the selection of cases with characteristics that were intrinsically interesting and informative due to their uniqueness within the study’s context (Stake 1995; Patton 1990; Creswell 1998). Case selection was also guided by practicality. No external funding was used in conducting the study; therefore, time and expense constraints were also weighed by the researcher in selecting states to observe.

Selection Criteria. Chapter Three described the variation across the country in the roles that state governments play in administering child protective services. Broadly speaking, the distinctions hinge on the level of administrative discretion left to local agencies – namely the counties – in designing and implementing child protection policies and programs. In the majority of states, administration of child protective services resides in a central child protection agency, with regional or county offices acting as
extensions. In a smaller number of states, counties retain significantly more discretion in administering child protection, while the state plays a supervisory role. As a first criterion, then, cases were selected to reflect this variation in local discretion, as this may have an effect on the ways in which citizen participation evolves.

As discussed in the review of literature, an important factor determining the perceived effectiveness of formal citizen group participation is the level of autonomy, or independence, that the group achieves in relation to the agencies with which they interact (Houghton 1988; Bryan et al. 2010). Autonomy is a gauge of self-determination and control, and is therefore of central importance regarding public empowerment. As stated previously, administrators shape both the processes and outcomes of empowerment-oriented reforms. Citizen groups that maintain greater autonomy retain control over such basic functions as setting the agenda for their efforts. In theory, groups with less autonomy may find their efforts being shaped according to the state agency’s goals.

One indicator of CRP autonomy is the locus of coordination of panel efforts. Two broad patterns have emerged in this regard. Internal coordination, where a child protection agency employee oversees the work of the CRPs, might reduce panel autonomy, with greater control of the citizen groups being left to the agency. On the other hand, external coordination involves the state agency using a portion of the CAPTA state grant funds to contract with a third-party – such as a university center or a non-profit organization – to provide managerial support for the panels. An initial criterion in selecting cases for this study was to include both internally- and externally- coordinated state CRPs.
A number of other factors were also considered in selecting the cases for this study, providing additional opportunities for variation and comparison, as shown in table 4-1 below. Because responsiveness is another key variable relevant to empowerment, cases were chosen which held the potential for a range in state response to the political mandate to create CRPs. Indicators of state responsiveness in case selection include: the timing of compliance to the CAPTA mandate (immediate or delayed); the number and geographic coverage of the panels across the states (limited or comprehensive); whether or not states created new panels or simply used existing panels to meet the requirement; whether the state had assigned an agency liaison to provide support for the panels; and whether the state had facilitated the creation of at least one panel devoted specifically to state-level policy.

<p>| Table 4-1. Comparison of Cases on Indicators of Autonomy and Responsiveness |
|---------------------------------|----------------|----------------|----------------|</p>
<table>
<thead>
<tr>
<th><strong>State/County Role in Child Protective</strong></th>
<th>Kentucky</th>
<th>Utah</th>
<th>Pennsylvania</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locus of Panel Coordination</td>
<td>State-administered</td>
<td>State-administered</td>
<td>State-supervised, county-administered</td>
</tr>
<tr>
<td>Number of Current CRPs (as of 2012)</td>
<td>3</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Regional Panel Coverage</td>
<td>Limited</td>
<td>Comprehensive</td>
<td>Limited</td>
</tr>
<tr>
<td>New or Existing Groups to Meet Mandate</td>
<td>New</td>
<td>Existing*</td>
<td>New</td>
</tr>
<tr>
<td>Assigned Agency Liaison</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>State-Level CRP</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

*See Utah state description below.
In addition to the variation in characteristics displayed in table 4-1, these case states – Kentucky, Utah, and Pennsylvania – also have unique features that lend to their richness and intrinsic import for understanding empowerment-oriented reforms. In Kentucky, the work of the CRPs is coordinated externally, through a contract with the College of Social Work at the University of Kentucky. The current coordinator, who also has national-level responsibilities for assisting other states with the CRP process by association with the federal government’s Children’s Bureau, has served more than a decade in the support and facilitation role with Kentucky’s citizen review panels. This long tenure makes possible a historical perspective by which to better understand the development and unfolding of the CRP process in the state.

Utah provides a unique opportunity to examine how a state can emerge from a highly tumultuous (even adversarial) environment to begin building partnerships with citizen participants. As detailed in Chapter Six, Utah’s timely compliance with the CAPTA requirement for citizen participation was not done in direct response to the federal legislation. Rather, the creation of its citizen groups was one result of a long-term class-action lawsuit against the state’s Department of Human Services. In other words, the impetus for Utah’s compliance was the result of something other than its continued eligibility for CAPTA funding; it was fighting to regain its autonomy and exit court-ordered monitoring. This unique motive for compliance is informative on the aspects of working with citizens in challenging administrative environments.

Finally, Pennsylvania was the last state to comply with the CAPTA mandate, with its first panels initiated more than a decade after nearly every other state. The newness of the CRPs in Pennsylvania provides an opportunity to see the process unfold in relatively
early stages, including the types of growing pains associated with implementing mandated participation. This gives an important point for comparison with the other states which have a longer history of working with the child welfare citizens’ groups.

**Data Collection**

The study took place over a period of two years, from the time that preliminary investigations into the work of the citizen review panels began to the writing and completion of the dissertation. A timeline of major study events is displayed in table 4-2. Data for the research were of two broad types, discussed here in order of centrality to answering the research questions and deriving the theoretical assertions put forth at the end of the study. The primary data for the research come from guided discussions with participants in the field, including both citizen review panel members and relevant state agency personnel and administration. Selected site visits also allowed direct observation and interaction with those involved in the citizen review process. The guided discussions, including sampling procedures for the interviews, are discussed more at length below.

The secondary data for this study play a multi-faceted role, by providing contextual understanding to the phenomena of interest, and allowing confirmation of insights revealed through the primary data – an important source of triangulation in the analysis (Miles and Huberman 1994; Lincoln and Guba 1985). First, to understand the genesis of the CAPTA requirements for citizen review panels, I examined legislative records from federal congressional committee hearings, attempting to characterize the environment in which the citizen participation mandate emerged. This was helpful in ascertaining how states might perceive the mandate, and subsequently shape their
responsiveness to the requirements. In Utah, this review included an examination of judicial documents related to the legal case which resulted in court-mandated oversight of the state’s child welfare system and ultimately in their unique citizen participation efforts.

Second, a central component of the data analysis in this dissertation was a thorough analysis of the annual CRP reports which included panel recommendations for improvement in state child welfare policy and practices. This provided information on the activities and tone of interaction between the citizen-participants and the agency administrators. The reports also produced additional insights on state responsiveness beyond the guided discussions, by allowing comparison with available state responses.

Other secondary data included archived agency records, program documents, state websites, print and online recruiting materials for citizen participants, meeting minutes, group bylaws, and memoranda of understanding. Where available, each of these secondary data sources added both contextual and comparative points to enrich the understanding of themes emerging from the primary interview data.
<table>
<thead>
<tr>
<th>Dates</th>
<th>Events</th>
</tr>
</thead>
</table>
| Fall 2010     | Preliminary investigation and secondary data collection  
                  - Discussions with leading national expert on CRPs  
                  - Literature review and initial secondary document collection                                                                                                                                  |
| May 2011      | Attended and presented at National Citizen Review Panel Conference in Charleston, SC  
                  - Met Kentucky CRP coordinator, Cabinet for Health and Family Services liaison, and various panel members  
                  - Met Pennsylvania Office of Children, Youth and Families liaison and various panel members                                                                                                   |
| Summer 2011   | Built understanding and established relationships with key QIC players in Utah.  
                  - Discussions with Utah QIC Coordinator  
                  - Met with Division of Children and Family Services liaison  
                  - Key documents collected, including recruiting materials, QIC recommendations and DCFS responses  
                  - Phone interview with former federal court-appointed monitor for DCFS                                                                                                                                  |
| Fall 2011     | Built understanding and established relationships with key CRP players in Pennsylvania.  
                  - Discussions with Pennsylvania CRP Liaison  
                  - Discussions with Pennsylvania CRP coordinator                                                                                                                                                    |
| December 2011 | Dissertation Proposal Approved  
                  Attended 6th Annual Utah QIC Summit in Salt Lake City, Utah                                                                                                                                         |
| January - March 2012 | IRB Approval  
                  - Indiana University; Kentucky CHFS; Utah DCFS; nothing additional in Pennsylvania  
                  Pre-recruiting efforts:  
                  - Obtained roster lists from CRP/QIC coordinators in each state. Used modified snowball sampling to identify key participants  
                  - Scheduled site visits to each state  
                  - Scheduled participant interviews in Kentucky and Utah                                                                                                                                       |
| March – April 2012 | Guided discussions and site-visits in:  
                  **Kentucky**  
                  - Three separate trips, centered in: 1) Louisville; 2) Lexington; 3) Frankfort  
                  - Attended Jefferson CRP meeting in Louisville, KY  
                  - Attended Statewide CRP meeting in Lexington, KY  
                  - Additional secondary documents collected  
                  **Utah**  
                  - Interviews held across four administrative regions, and phone interviews in an additional rural region.  
                  - Additional secondary documents collected and analyzed  
                  **Pennsylvania**  
                  - Interviews centered in Harrisburg area, with trips to surrounding counties, and phone interviews in more distant rural regions.  
                  - Additional secondary data documents collected and analyzed.                                                                                                                                      |
| Summer 2012   | Case write-up and cross-case analyses                                                                                                                                                                   |
| Fall 2012     | Complete dissertation                                                                                                                                                                                 |
The Guided Discussions. In-depth interviews were conducted with more than 50 individuals connected to the citizen review process in Kentucky, Utah, and Pennsylvania. In each state, at least 15 structured, open-ended interviews were fielded. A total of 38 guided discussions were engaged in-person during site visits to the case states, which took place over a two-month period of March and April 2012. The site visits were vital to understanding elements of potential empowerment within the context in which the interactions occur (Rappaport 1987).

Due to time and accessibility constraints, of both the researcher and the respondents, another 14 interviews were conducted by telephone, particularly where participants were located in more rural portions of the state and at significant distances from the more concentrated urban centers where so many of the panels are centered. The use of telephone interviews allowed greater representational coverage of panel members and regional child protection administrators.

On average, the interviews lasted just over one hour, but depending chiefly on respondent availability, these varied from a minimum of 30 minutes up to 90 minutes. The flow of the interviews was conversational in tone. A discussion guide, including open-ended questions and probes, provided elements of structure, focus, and continuity to the data collection. At the same time, however, the guide remained flexible to allow for delving into emergent topics (Patton 2002). In each interview, participants were encouraged and provided opportunities to elaborate and elucidate points of particular interest to them. The discussion guide was uniform across cases, yet the distinguishing characteristics of each state’s experience in implementing and working with the citizen review panels drew attention to some questions more than others. These were
contextually-driven distinctions. At only one point was any change made to the format of the discussion guide. After the first few interviews in Kentucky, it was discovered that a slight re-ordering of the questions would facilitate the flow of inquiry with respondents. Such alterations are common in semi-structured qualitative interviewing (Weiss 1994).

The discussion guide (see appendix A) was designed to elicit deep insight into aspects of the citizen review process and outcomes that would ultimately contribute to theory development. The specific questions and probes were developed to address the knowledge gaps identified in the literature review. They likewise provided further clarification on a number of more narrowlyspecified sub-research questions, such as those shown table 4-3 below. Within these parameters, the guided discussion was organized around obtaining knowledge in four particular areas, including participant structures, participant expectations, tone of citizen-agency interaction, and empowered outcomes.

Table 4-3. Examples of Sub-Research Questions

| • In mandated participation contexts, are administrators willing to share decision-making power? If so, what factors influence their willingness to do so? |
| • What is the role of information-sharing as a potentially empowering process? Do administrators share information and other resources to build citizen-participant capacity? |
| • What are the expectations that citizen-participants have for their involvement in structured citizen participation venues? How do these expectations shape their perceptions of their participation experience? |
| • Do citizens feel or believe that they are empowered through these processes? Do they feel that their participation has an impact? |
| • How does the broader context of mandated participation affect the quality of interaction between administrators and citizen-participants? What factors shape these relationships? |
The research was structured in order to maintain strict confidentiality of participants. Extensive field-notes were collected during the course of the guided discussions, using an organized outline to capture the expressed responses to questions posed to the interviewees. These notes were transcribed electronically, placing them in a format which could facilitate coding and categorizing. Where necessary, follow-up conversations via telephone or email provided clarification.

**Participant Sampling.** The study’s context, as detailed in Chapter Three, was chosen because it provided an opportunity to examine “settings where we would expect empowerment to be an operative principle . . . where people are experiencing the conditions that are hypothesized to lead to the sorts of outcomes we wish to understand” (Rappaport 1987, 130). Elements of elite interviewing, coupled with modified snowball sampling techniques (and to a lesser degree some convenience sampling) were used to construct (and round out) an interview roster reflective of those who could begin to tell the story of the potential for empowerment in the citizen review panel context. Elite interviewing concerns itself with the respondent’s importance relative to the phenomenon of interest, allowing the research to engage subject matter experts based on their “insider” status, and to “serve as gatekeepers who, formally or informally, control access to needed data sources,” including documents and other individuals (Moyser, 2006, 85). To that end, a purposive sampling framework was used in garnering participation by interviewees, with particular attention to engaging those who could provide instructive insight from a citizen-participant perspective, as well as the viewpoint of relevant administrators (Patton 1990; Seidman 2006).
A three-part process was utilized to sample and garner participation from interviewees. This included: 1) preliminary efforts to establish a connection with one or two principal contacts in each case state – people whose relationship to the citizen review process was both comprehensive (statewide) and institutional (formal); 2) working with the principal contacts to obtain complete and current panel roster lists, identify additional viewpoints to be sought in subsequent interviews, and to gain access to potential respondents; and 3) using the panel lists to round out the interview rosters and gain additional perspectives. Each part is elaborated below.

**Elite Interviews with Subject Matter Experts.** The principal contacts in each state consisted of both the CRP coordinator and a principal state agency liaison to the panels. As subject matter experts, these individuals provided insight into each case state’s citizen review process, and were vital to attaining access to panel members and agency administrators. Engaging subject matter experts in this way – a form of elite interviewing described above – has been done in other similar studies in public administration (see for example, King et al. 1998). Indeed, the preliminary discussions with these individuals was focused on tapping into their knowledge and experience, and allowing them, as much as possible, to provide a rich contextual understanding of issues related to the citizen review process at large (Dexter 1970). For Kentucky and Pennsylvania, the first contact with the coordinators and liaisons was at the National Citizen Review Panel Conference, held in Charleston, South Carolina in May 2011. Subsequent phone discussions provided background and context for understanding each state’s experience. In Utah, similar preliminary discussions were held by phone and in
person with both the coordinator and liaison to the statewide quality improvement committees.  

**Snowball and Convenience Sampling to Round out the Interview Roster.** In the course of preliminary interactions, the primary contacts were asked to identify those individuals – both panel members and agency officials – who could help me best answer the study’s guiding research questions. Their recommendations fit with the profile of participants I had anticipated, based on my attendance at several conferences and from site visits to attend several panel meetings. Additionally, they provided current roster lists with contact information for citizen participants, and acted as a point of distribution for recruiting materials that I had prepared as part of the Institutional Review Board process, inviting and encouraging people to consider participating in the guided discussions. Subsequently, I followed up one-by-one with individuals to schedule the interviews. In several cases while in the field, additional interviews were scheduled based on the recommendations of the second wave of interviewees, further extending the snowball sample design. When necessary, the participant list was rounded out with interviews with other panel members and agency administrators.

In all cases, sampling priority was given to those participants whose experience could provide an extensive knowledge of the citizen review process. Specific efforts were made to attain a balanced viewpoint, including both citizen volunteers as well as agency administrators. Table 4-4 shows the distribution of participants in each case state. In Kentucky and Utah, one-third of the interviewees were administrative representatives.

---

7 An additional subject matter expert for Utah included the lead outside monitor for the state’s Division of Child and Family Services during the time that the agency was under court-ordered oversight, as detailed in Chapter Six. The discussions with this individual were crucial for understanding the turbulent context in which the citizen participation process emerged in the state.
of the state child protection agency, including regional agencies. In Pennsylvania, fewer administrators were interviewed because of the state’s unique child protection structure, in which the Office of Children, Youth and Families (OCYF) plays more of a support and monitoring role, while the individual counties administer child protective services. No interviews were sought with county children and youth administrators, who had had little if any direct interactions with the citizen review panels up to the point when the research was being conducted. All initial CRP efforts had been directed towards the state. To bolster the limited administrator perspective, however, a number of interviews were conducted with members of the CRP Subcommittee, a group established and assisted by OCYF to organize and support the citizen review process throughout the state. Despite the fact that subcommittee members were nearly all external stakeholders, their official advisory capacity with OCYF was vital to understanding the development and progress of the CRPs. Such institutionalized relationships can represent a point of entrée for organizational outsiders to influence those on the inside (Rourke 1984).
Table 4-4. Distribution of Participants in Guided Discussions

<table>
<thead>
<tr>
<th>Kentucky</th>
<th>Pennsylvania</th>
<th>Utah</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CRP Coordinator/Support</strong></td>
<td><strong>CRP Coordinator/Support</strong></td>
<td><strong>QIC Coordinator/Support</strong></td>
<td></td>
</tr>
<tr>
<td>Coordinator (contract) 1</td>
<td>Coordinator (contract) 1</td>
<td>Coordinator (state agency) 1</td>
<td></td>
</tr>
<tr>
<td>CRP Subcommittee 4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong> 1</td>
<td><strong>Total</strong> 5</td>
<td><strong>Total</strong> 1</td>
<td><strong>7</strong></td>
</tr>
<tr>
<td><strong>Dept. for Community Based Services (DCBS)</strong></td>
<td><strong>Office of Children, Youth and Families (OCYF)</strong></td>
<td><strong>Div. of Child and Family Services (DCFS)</strong></td>
<td></td>
</tr>
<tr>
<td>Central admin. 1</td>
<td>Central admin. 1</td>
<td>Central admin. 2</td>
<td><strong>2</strong></td>
</tr>
<tr>
<td>Region admin. 1</td>
<td>OCYF liaison 2</td>
<td>DCFS regional admin. 3</td>
<td><strong>3</strong></td>
</tr>
<tr>
<td>DCBS liaisons 3</td>
<td></td>
<td>DCFS employees 2</td>
<td><strong>2</strong></td>
</tr>
<tr>
<td><strong>Total</strong> 5</td>
<td><strong>Total</strong> 2</td>
<td><strong>Total</strong> 7</td>
<td><strong>14</strong></td>
</tr>
<tr>
<td><strong>Citizen Review Panels</strong></td>
<td><strong>Citizen Review Panels</strong></td>
<td><strong>Quality Impvt. Committees</strong></td>
<td></td>
</tr>
<tr>
<td>Jefferson CRP 1</td>
<td>Northeast CRP 1</td>
<td>Northern QIC 1</td>
<td></td>
</tr>
<tr>
<td>Southern Bluegrass CRP 1</td>
<td>Northwest CRP 1</td>
<td>Salt Lake Valley QIC 1</td>
<td></td>
</tr>
<tr>
<td>Statewide CRP 1</td>
<td>South Central CRP 1</td>
<td>Southwestern (Cedar) QIC 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Western QIC 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>State QIC 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong> 5</td>
<td><strong>8</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Total</strong> 31</td>
<td></td>
</tr>
<tr>
<td><strong>Total Guided Discussions</strong> 15</td>
<td><strong>Total Guided Discussions</strong> 16</td>
<td><strong>Total Guided Discussions</strong> 21</td>
<td><strong>52</strong></td>
</tr>
</tbody>
</table>

1Immediate-Past Chair  
2Immediate-Past Liaison (vacant at time of interviews)  
3Alternative designation for CRP in Utah
Data Analysis Within and Across Cases

Strauss and Corbin (1998) describe case analyses that begin with open coding of the data and then move to more complex levels of categorization. Accordingly, open coding is “the analytic process through which concepts are identified and their properties and dimensions are discovered in the data” (Strauss and Corbin 1998, 101). This inductive process leads to the creation of categories of data by which phenomena can be classified and conceptualized, a vital first step towards theory generation. The emergent categories and subcategories are further related and aggregated in a process they call axial coding. All of this is done within a framework of constant comparison.

Within the flow of the analyses, open and axial coding move towards a process of “theoretical coding” (McNabb 2002, 307), as shown previously in figure 4-1. This further refines and connects emergent themes. As this is the goal of grounded theory research – “systematic qualitative analysis . . . [to] generate theories . . . ‘grounded’ in empirical realities” (Tummers and Karsten 2012, 5) – researchers are highly concerned with the representativeness of the emergent concepts, even more than the representativeness of the setting or participants themselves (Strauss and Corbin 1998).

As described earlier, a grounded theory approach is characterized by an iterative and simultaneous (as opposed to serial) progression of data collection, analysis, coding, categorization, and theory development. However, certain elements of this study did of necessity flow sequentially. A two-stage process, similar to that described by Miles and Huberman (1994) was used for the theory development, starting first with the organization of the individual case studies and followed by the cross-case analysis.
Each of the three cases assumed a general outline in its development and write-up. This included an overview of child protective service structures in the state, a discussion of the state’s compliance with the CAPTA mandate regarding citizen review panels, and an analysis of insights gained from the guided discussions and secondary documents. All of these efforts were aimed at adding to the body of knowledge regarding the potential for public empowerment in instances of government-organized participation. This outline provided structure and uniformity for the case presentation, but also allowed wide flexibility in discussing the variation and uniqueness of each state’s experience with the citizen review panels. Importantly, the uniformity in case organization facilitated the cross-case analysis in Chapter Eight, giving points of reference by which to draw comparison.

Miles and Huberman (1994) suggest that the creation of data displays and matrices can facilitate within-case analyses. In this study, each set of interview notes was carefully transcribed from hand-written to digital format. This was done question-by-question, and open coding of the response resulted in the categorization of similar concepts. Each new conceptual category was spatially paired on a matrix and re-ordered to see the predominance of themes emerging from then interview responses. Some codes were modified as additional cases were examined, as part of the iterative nature of the research. Direct quotes and shared accounts were included, in both the matrices and within the case write-ups to provide support for the emergent themes (Weiss 1994).

Each case highlights similarities and distinctions in the structure and processes of government-organized citizen participation. Continuing with the constant comparison of data across the cases, the analysis extended to the emergence of broader themes from the
guided discussions. Within the cases, the comparison was between respondents. In the cross-case analysis, the comparisons were between the cases, to see emergent themes cutting across contexts. During the individual case write-ups, intriguing themes were noted and contrasted with the other cases. Importantly, points of convergence and divergence between the cases provided opportunities for the development of testable theoretical propositions. The development of comparative thematic tables, such as those found in Chapter Eight, helped clarify conceptual relationships.

**Efforts to Ensure the Validity of the Research**

There are several threats to the validity of the current study’s scope and conclusions. Data accuracy, both in primary and secondary sources, is a pressing concern. This includes a need to mitigate areas of potential researcher bias as well as lessening the potential for participant reactivity, due to the interactive nature of interview data collection. Also, as this study purposes the generation of theory from the data itself, generalizing from specific examples is another important concern (Eisenhardt 1989). A number of strategies were used to strengthen the validity of data collection, analysis, and interpretation. All methods applied were based on widely accepted and recommended procedures (Miles and Huberman 1994; Maxwell 2005; Strauss and Corbin 1998). Additional efforts to ensure validity are discussed below.

**Researcher Bias.** There were two points within the design and implementation of the study where researcher bias was of greatest concern. The first was with the selection of cases to include in the study. All case selection criteria were carefully detailed, and were based on important structural features noted in the literature. As
described previously, the selected cases varied in notable characteristics, but also reflected intrinsic appeal, due to inherently interesting circumstances or conditions.

The second point of concern regarding potential researcher bias involves interactions with and interpretations of the data (Maxwell 2005). Balancing researcher objectivity with sensitivity to the data can be a challenge. Strauss and Corbin have stressed the importance of “gaining distance” between preconceived notions and the data collected (1998, 44). One way that distance was achieved in the present study was through constant comparison across respondents and cases, a hallmark of grounded theory methodology. Furthermore, the study was designed to obtain multiple viewpoints on the phenomena of interest. Thus a balance of objectivity was gained by triangulating between various respondent types as well as between various data sources, both primary and secondary.

**Participant Reactivity.** Researcher interaction with respondents can alter the setting or people being studied – a variation on the well-known Hawthorne Effect. This reactivity may lead in some cases to a respondent providing overly positive assessments of individual performance or saying what he or she believes the researcher wants to hear. Due to the close interaction of the researcher with the respondents in interview-based qualitative studies, this presents an additional threat to validity. Even so, in qualitative studies, trying to eliminate researcher influence is not as important as seeking “to understand it and to use it productively” (Maxwell 2005, 109).

Several efforts were taken to reduce threats to validity stemming from potential participant reactivity. First, participant sampling was carefully detailed, including interactions with principal contacts in each case state to identify appropriate interview
respondents. This included a mix of both administrators and citizen participants. The overall sample size surpassed thresholds suggested in the literature (Creswell 1998), but more importantly, the number of interviews allowed the researcher to satisfactorily attain thematic saturation (Strauss and Corbin 1998). Detailed notes were kept for each interview, following the semi-structured discussion guide, introducing elements of standardization to the interactions and strengthening the comparability of data for within- and across-case comparisons. These detailed notes were kept in lieu of audio- or video-recording the interviews. Though some have suggested that recording interviews can strengthen data recall and richness (Maxwell 2005; Seidman 2006), others have recognized the possible limiting effect that such technologies may have on the openness of interview participants (Lincoln and Guba 1985; Glesne 1999; Weiss 1994). The choice to forego audio or video records was made with this desire to enhance participant candor. Furthermore, both during and after the study, strict confidentiality of shared information was maintained by the researcher.

**Generalizing from Specifics.** A significant challenge in any theory-generating effort is trying to generalize to broader conclusions from the specifics of a small number of cases (Eisenhardt 1989). That said, Maxwell (2005) has suggested that in qualitative research, internal generalizability – i.e. within a setting or group – is of much greater concern than external generalizability – i.e. beyond the setting or group. This differs from quantitative studies which typically aim for external generalizability by designing for representativeness within the sample. In qualitative studies, however, and particularly in grounded theory research, the researcher is more concerned with the representativeness of the emergent concepts and themes – what Strauss and Corbin describe as “theoretical
sampling” – than with the representativeness of sample itself (1998, 214). The constant comparison and systematic process of coding as described previously, combined with the breadth of interviews to achieve thematic saturation were express efforts to mitigate these issues.

**Conclusion**

The choice of research methodology for this study was dictated by a number of important considerations. The multi-case, qualitative approach was meant to provide deep and rich insight into the questions guiding the research. The primary data – the in-depth interviews with citizens and administrators – were aimed at opening the study to emergent themes and theory-building analyses, while the secondary data sources provided contextual and comparative support. The testable propositions derived from within and across cases were grounded in the data itself, facilitating the development of a theoretical framework from which to more completely understand public empowerment in the context of government-organized citizen participation.
SECTION II
DEVELOPING THE CASES

The rationale for selecting each of the three case states – Kentucky, Utah, and Pennsylvania – was explained in the preceding chapter. Briefly, each reflects important areas of variation on key distinguishing features, including indicators of state responsiveness to the CAPTA citizen review panel mandate and citizen group autonomy. This specific variation is critical to the current study’s efforts to contribute to a better-developed theoretical understanding of government-mandated public participation and the potential for citizens to impact administrative decisions utilizing such channels.

The discussion in this section highlights instructive aspects from the three states’ experiences in complying with the federal requirements for citizen inclusion in child protective services. While the focus tends towards the unique nature of each state’s experience, a general framework is applied throughout to provide a level of uniformity in case development. This includes: 1) an overview of child protective service structures in the state; 2) a discussion of the motives for and means used to comply with the CAPTA mandate regarding citizen review panels; and, 3) an analysis of insights gained from the interviews and other research activities which add to our understanding of the potential for public empowerment in instances of mandated participation. The case analyses provide the groundwork for a broader cross-case comparison, which is taken up in the Section III.
CHAPTER FIVE
KENTUCKY’S CITIZEN REVIEW PANELS

Overview of Child Protection in the Bluegrass State

Similar to the vast majority of states, child protective services in Kentucky are administered centrally by the state (see figure 3-1). In its current configuration, these responsibilities reside in the Division of Permanency and Protection, which is a sub-unit of the broader Department for Community Based Services (DCBS). The Commissioner of DCBS oversees a wide range of human and social services beyond child safety, including many related to welfare and health assistance for individuals and families. While its organizational home has occasionally been altered to reflect executive-level restructurings, DCBS is currently situated within the Cabinet for Health and Family Services (CHFS or “Cabinet”), whose Secretary is directly appointed by the Governor.

Regional Level Administration. Both policy and practice are established at the Cabinet level in Frankfort, which of necessity takes direction from legislative developments in the capital city. The implementation and day-to-day DCBS operations are organized and coordinated at various service region offices located throughout the state. Prior to 2007, there were 16 such service regions. The Cabinet undertook a significant restructuring that year, which resulted in a consolidation to nine regional offices, each separately led by a service region administrator. Jurisdictionally, each region encompasses some grouping of the state’s 120 counties, ranging in size from 10 to 18 counties. The lone exception, however, is in the Jefferson service region, which serves just the one county for which it is named. This county, comprised of the
consolidated Louisville-Jefferson metro area, is the state’s largest urban center. A map depicting the state’s nine DCBS service regions is shown in figure 5-1 below.

Figure 5-1. Service Regions of the Department for Community Based Services

Source: Adapted from U.S. Census image (http://quickfacts.census.gov/qfd/maps/kentucky.map.html) and descriptions from the Kentucky Department for Community Based Services website (http://chfs.ky.gov/dcbs/serviceregions.htm).

Compliance with the CAPTA Mandate

A Motive to Comply. There is little evidence to suggest that the development of the CRPs in Kentucky was motivated by anything other than a desire to maintain compliance with the CAPTA requirements, and therefore eligibility for the associated grant funds. Aside from the passage of the CAPTA amendment itself, there does not appear to be any other direct or concentrated trigger leading officials in Kentucky to promulgate greater openness in the state’s child welfare system. Therefore, it is reasonable to believe, the potential loss of CAPTA funds was a key decision driver in the choice for Kentucky to comply with the federal mandate to create citizen review panels.

There are a number of important grants available for states complying with the CAPTA requirements. First are the basic CAPTA state grants. During the past several
fiscal years, Kentucky has received nearly $370,000 annually from this source (Stoltzfus 2009). In addition, compliant states are eligible for community-based child abuse prevention funds, which are CAPTA-based, yet separate from the basic state grant. In both 2010 and 2011, Kentucky leveraged approximately $2.4 million annually through these community-based grants (U.S. Department of Health and Human Services 2011). Compliance with the CAPTA requirements also renders states eligible for discretionary funds to pursue innovative child protection programs. It is likewise required for some sources of non-CAPTA funding, such as the Children’s Justice Act grants, which in recent years has provided nearly $250,000 annually to the state (Stoltzfus 2009).

Kentucky, like nearly every state (except Indiana and Pennsylvania), met the CRP requirement by the 1999 deadline, thus maintaining its eligibility for the CAPTA state grants. Despite being comparatively small in relation to other child welfare-related funding streams, these grants represent an important source of funding for state child protection agencies, in particular for child abuse prevention and treatment programs and services. For some states, the decision to maintain eligibility may simply entail a weighing of the costs of compliance against the benefits of continued federal grant funding. However, the fact that states respond in different ways in establishing various mandated public participation mechanisms suggests that there is more to consider than just grant eligibility when state agencies decide how – and how deeply – to involve citizens in administrative decisions.

**The Development of the Citizen Review Panels.** Early on, the state made the decision to create new citizens panels in response to the federal mandate, bypassing the option of using foster care review boards or child fatality teams already in existence in
the state. In July 1999, panels were organized in three of the state’s service regions. Two of these were in the state’s largest urban counties (Jefferson and Fayette, respectively), and another panel covered an eight-county area in the more rural southwest corner of the state (Purchase Region). Over the years, the number of CRPs in Kentucky has fluctuated between the mandated-minimum of three to as many as six active panels in 2005 and 2006, as can be seen in table 5-1.

Table 5-1. Kentucky’s Active Citizen Review Panel Membership, 1999-2012

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jefferson</td>
<td>8</td>
<td>8</td>
<td>15</td>
<td>15</td>
<td>11</td>
<td>12</td>
<td>12</td>
<td>13</td>
<td>15</td>
<td>12</td>
<td>14</td>
<td>11</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>Fayette (Southern Bluegrass)</td>
<td>12</td>
<td>12</td>
<td>17</td>
<td>17</td>
<td>16</td>
<td>15</td>
<td>17</td>
<td>17</td>
<td>14</td>
<td>14</td>
<td>15</td>
<td>13</td>
<td>8</td>
<td>12</td>
</tr>
<tr>
<td>Purchase (The Lakes)</td>
<td>14</td>
<td>14</td>
<td>14</td>
<td>13</td>
<td>13</td>
<td>14</td>
<td>12</td>
<td>20</td>
<td>13</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gateway/Buffalo Trace (Northeastern)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Big Sandy (Eastern Mountain)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11</td>
<td>10</td>
<td>10</td>
<td>21</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statewide</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Reflects the pre-2007 region designations. Parentheses indicate post-2007 consolidated service regions. Source: Membership totals were tallied from roster lists available in the annual CRP reports. The counts for 2012 are based on current roster lists made available to the researcher by the CRP coordinator.

Table 5-1 also depicts CRP membership counts. Over time, each CRP in Kentucky has ranged in size anywhere from eight to twenty-four members in a given year, though typical panel membership is around thirteen participants. Prior to the service region reorganization undertaken by the Cabinet (depicted by the heavier line between 2006 and 2007), none of the panels had ever been comprised of more than 17 participants. However, with the 2007 consolidation of administrative jurisdictions to encompass more counties, a few of the panels witnessed an increase in membership,

---

8Jefferson County is where Louisville is located, while Fayette County houses Lexington.

97
including in the Purchase (The Lakes), Gateway/Buffalo Trace (Northeastern), and Big Sandy (Eastern Mountain) regions. Interestingly, the Fayette (Southern Bluegrass) region experienced a slight decline in participation after the consolidation, even though the service region expanded in jurisdiction from one county to ten counties. Recently the Statewide panel has seen a significant increase in membership, with 24 participants currently on the roster. This is by far the highest number among currently active panels, and likely reflects the broader draw from across all regions of the state.

**Active Panels.** The Jefferson and Southern Bluegrass CRPs have had the longest continuous existence, the former remaining in place after the 2007 service region consolidation, and the latter expanding from what was the previously just Fayette County to the now 10-county Southern Bluegrass region. Additional regional panels were added in the rural eastern portion of the state in 2002 (Gateway/Buffalo Trace) and 2005 (Big Sandy). By 2010, however, each of the rural panels was discontinued.

A Statewide CRP, consisting of the panel chairs and one or two additional members from each of the regional panels, was established in 2005 to look at systemic concerns that crossed regional jurisdictions. This configuration was short-lived; the original Statewide panel disbanded after just two years when more emphasis was placed on local engagement (Kentucky Department for Community Based Services 2010). However, a new Statewide panel was established in 2010, with its membership being entirely separate from the existing regional panels. At the time of this writing, it is one of the three active panels in Kentucky.

**Panel Composition.** A dual-faceted, ongoing concern affecting the composition of the CRPs has been both the recruitment and retention of participants to strengthen the
groups’ viability and effectiveness. While the CAPTA legislation assigned no size requirements to the panels in terms of number of participants, a formalized memorandum of understanding between DCBS and the CRPs (described more in-depth in a later section) places the minimum number of participants on Kentucky’s panels at ten. Furthermore, essentially mirroring the federal legislation by which it was inspired, this memorandum of understanding provided a vague description of the intended composition of the groups. Accordingly, the CRPs are to include a membership that broadly represents the community they serve, but which also garners participation from individuals with prior knowledge and expertise in dealing with child abuse and neglect concerns.

As to panel configuration, the balance between broad community representation and individual expertise in child protection has proven, in practice, to be lopsided in favor of the latter. Similar trends appear to hold sway in Kentucky as well. Of the panel participants interviewed for this study, only one – a pastor of a church – was in a profession not directly tied to the broader child protection system. Each of the other participants was more closely aligned professionally as a community partner with DCBS, including multiple professors of social work (all former DCBS employees), representatives of non-profit residential foster care providers, community mental health professionals, and a director of a county government family service agency. According to one interviewee, nearly everyone with whom she worked on the citizen review panel had an obvious and direct everyday professional linkage to the bigger social work system, including many who at some point had been employed by DCBS.
Furthermore, CRP participation in Kentucky has an apparent gender disparity, as a highly disproportionate number of participants are female. For example, the current ratio of female to male panel members is eleven to two on the Jefferson panel, ten to two on the Southern Bluegrass panel, and an overwhelming twenty-one to three on the Statewide panel. What could account for such stark disparities? It may be that women are more civic-minded and likely to serve on citizen groups, or perhaps they are particularly drawn to issues related to children and families. Maybe some have schedules more conducive to attending daytime panel meetings. While such postulations are possible, there is another, more plausible explanation, which is the disproportionate representation of females in social work professions. According to recent reports by the U.S. Department of Labor (2011), nearly 81% of social workers were female. Given that the CRPs draw heavily from these professions, as described earlier, it should not be surprising that similar disproportions in gender are revealed.

**State Support of the CRPs.** Embedded within the CAPTA legislation is an obligation for states to provide information requested by the CRPs to help them accomplish their duties, and if requested, staff support for each panel to accomplish its work. While panel autonomy is an important feature of citizen group effectiveness (Houghton 1988), the legislative intent clearly calls for meaningful connection between the child protection agency and the citizen review panels in terms of mutual support. Two key positions provide for panel support and information exchange in Kentucky; namely, the CRP coordinator and the DCBS liaison.

---

9 In general, both Utah and Pennsylvania, the other case states in this study, showed similar overrepresentation of female participates, though in some cases in Utah the disparities were slightly less exaggerated.
In Kentucky, the citizen review process is coordinated externally, meaning simply that someone from outside of the state child protection system serves as coordinator for the panels. Since July 2000, the Department of Community Based Services has contracted with the Training Resource Center, a unit within the University of Kentucky’s School of Social Work, to provide panel coordination. This contract is funded by money from the CAPTA state grant, and covers a portion of the assigned coordinator’s salary. The contract also allocates a portion of the grant funds for additional forms of panel support, including an annual planning and training retreat for panel participants, mileage reimbursement for members traveling long distances to attend CRP meetings, lunch for attendees who participate during the middle of their workday or on weekends, opportunities for some to attend a national conference of citizen review participants, and photocopies and other materials needed for the meetings.

Furthermore, each CRP in Kentucky has an assigned DCBS staff member who serves as an official liaison between the state and the panel, and whose chief function is to facilitate the sharing of information needed by the panel to perform its mandate. In general, the liaison attends the monthly panel meetings, answers specific questions that are raised regarding agency policy and practice, and works to secure and explain information requested by the panel from the state agency. At the regional level, the liaison has traditionally been a child protection service specialist, assigned from the associated service region office. For the Statewide panel, the liaison comes directly from the central DCBS office in Frankfort. Currently, the statewide liaison is the state’s CAPTA grant administrator and the point person to the central agency for each of the panels on concerns relevant to state-level policy or practice. Panel members were almost
universally appreciative of the efforts of the liaisons. However, the liaisons, as the identifiable face of the agency, were at times viewed with suspicion by panel members, and often were the first to feel any tension or criticism the panel leveled at DCBS or the Cabinet. The tensions appear to be a natural byproduct of the liaison’s intermediary role.

**Participation Structures.** The early development of the CRPs in Kentucky was marked by a period where lack of clarity in roles was perceived as hindering the groups’ ability to perform their mandated functions. Among other things, a key concern was over the need for a better information-sharing process between the Cabinet and DCBS and the panels. This created an early point of frustration for some of the panels, a sentiment expressed well by the Jefferson CRP in its 2002 report:

> In order to comply with its mandate, the panel needs useful, timely, and accurate information. Since its formation in July, 1999, the Panel has struggled to get self-studies, accreditation reports, and other documents that would give us greater direction. The panel feels that when information is given, it is outdated and/or vague. We ask that the Cabinet assist us in getting timely information (Kentucky Citizen Review Panels for Child Protective Services 2002, 20).

In that same annual report, the Fayette CRP recommended that the Cabinet “explore the possibility of new legislation reinforcing the federal mandate of the Panel,” and that they “work with the Panel to identify a communication infrastructure for more efficient exchange of information” between the two parties (Kentucky Citizen Review Panels for Child Protective Services 2002, 8). To this end, steps were taken to formalize the roles and responsibilities of both the citizens groups and the state agency in relation to one another. During the 2002 legislative session, House Bill 645 was introduced in Frankfort, which pushed for an addition to the Kentucky Revised Statutes granting official state recognition of the CRPs. The language of the proposed state legislation
sought to specify the membership and duties of the CRPs, such as issuing the annual report, as well as the intended responsibilities of the Cabinet to provide necessary information and to assure the presence of a DCBS representative at each panel meeting.

The legislation was not adopted, but it influenced other attempts to formalize the state-panel relationship at the time. That same year, each of the panel chairs and the Commissioner of DCBS signed a memorandum of understanding (MOU) which served to formalize many of the same expectations of mutual support that were found in the proposed legislation. This was the first of three such MOUs signed over the years, all essentially identical, and each intended to guide the relationships inherent in the CRP process. The others were signed in 2006 and most recently in 2011.

The role of the CRP as spelled out in the memorandum of understanding largely reflected the expectations of the CAPTA mandate, for example, that the groups meet at least quarterly, that they review systemic concerns, and that they prepare an annual report with recommendations for improvements. The main focus of the document, however, appears to be a clearer specification of what the panels should expect from the Cabinet. Among other things, this included an agreement that: 1) the Cabinet would ensure that regional administrators would personally attend at least two CRP meetings in the course of the year; 2) the Cabinet would regularly and proactively update the CRPs regarding any changes to standards of practice; and, 3) the Cabinet would, within 90 days of receiving the annual CRP report (due by June 30, the end of the fiscal year), issue a written response to the CRPs and top legislative and executive officials in the state regarding plans to address the panels’ recommendations. This last point regarding the state’s agreement to acknowledge and formally respond to the annual CRP reports is
significant, especially considering that it predates the 2003 CAPTA reauthorization that mandated this type of state response. It also calls for a shorter timeframe of state response than what the subsequent CAPTA mandate would do – three months as opposed to six months.

Similarly, some of the CRPs also took steps towards formalizing within-panel roles and responsibilities, in an attempt to provide more structure to the participation process. In its first annual report, issued in 2000, the Fayette regional panel reported that it had developed by-laws for how it would function and operate. This included, among other things, sections regarding the selection of panel leadership (i.e. chairs), recruitment activities, handling conflicts of interest, and the creation of subcommittees. While establishing by-laws to govern panel activities may have added a sense of structure and direction for the citizen groups, currently there is evidence to suggest that these have lost sway over the lifespan of the panels. One panel member, when asked about her service on the CRP, wondered whether the by-laws regarding length of tenure would soon force her off. Her tone implied uncertainty on this point, as there was no prior evidence that the particular provision had been enforced. Another panel member noted the looseness in applying rules regarding attendance as compared to other groups of which she had been a part. There appeared to her to be no formal repercussions for excessive absences. Another interviewee was more direct in her estimation of the current state of the bylaws, lamenting that they were now largely ignored.

**Panel Leadership.** Each of the CRPs in Kentucky has a leadership structure in place by which one of the participants serves as chair of the group. In some cases, a vice-chair is also chosen, who stands in when the chair is unable to attend panel meetings.
Broadly speaking, the chair works to establish, distribute, and move through the meeting agendas. In these duties, the chair is assisted by the CRP coordinator. While it is not intended that any of the panel participants carry an inordinate burden in their volunteer role, my interactions with the panel chairs during the course of the research indicated a sense that the role is somewhat demanding. The leadership provided by the chair is vital to the effectiveness of the group, not only in facilitating meetings and assignments, but also in setting the tone and direction that the group takes. The chair also has a major impact on the perceptions that the Cabinet has of the CRP. Just as the DCBS liaison is the face of the state agency to the panel, the chair may become the face of the panel to the state agency.

**Panel Meetings.** In the Jefferson and Southern Bluegrass regions, CRP meetings are held regularly on a monthly schedule. This exceeds both the CAPTA requirements and the stipulations contained in the MOU signed by the state and panel chairs, which specify that the groups meet at least quarterly. Several interviewees noted that even with a more frequent meeting schedule it was a challenge to establish momentum and continuity in group efforts, so they often engaged in between-meeting communication to keep things moving.

The Southern Bluegrass regional panel holds its meetings at the University of Kentucky’s Training Resource Center in Lexington. As described previously, this is the contract entity through which the CRPs are coordinated. It also provides a central location at which to meet for this panel. The Jefferson panel convenes at the regional DCBS offices located in downtown Louisville. Access to DCBS meeting space was noted by
many interviewees as an important form of support by the state for the work of the citizens groups.

The Statewide panel, by definition, covers a much larger geographic area, with participants traveling from various parts of the state to attend the meetings. At one of the panel meetings I attended, several participants had driven at least four hours to participate. Because of the added burden of travel, the panel has opted for less frequent face-to-face meetings, held quarterly, and interspersed with more regular contact via phone or internet-based meeting technologies. Also, the regular meetings for the Statewide panel are held on weekends, enabling more individuals to make the drive required to attend. The costs of travel are reimbursed to participants, and a meal is provided at the meeting.

One common approach to organizing the work of the CRPs in Kentucky has been to divide the panels into subcommittees based on topics of interest, and have these smaller groups take the lead on reviewing these selected issues. While the other active groups are still organized this way, the Jefferson panel eliminated the sub-committee structure this year in favor of a committee-of-the-whole approach. Rather than breaking into two groups to look at two separate topics for the year, they all meet and work on the same topic together, examining one topic for part of the year, and another topic during the other part of the year, in succession.

There are trappings of formality involved in the CRP meetings, including an organized agenda, meeting minutes, and a formal vote on important decisions made by the group. Even so, not a single interviewee described the meetings as being overly formal in structure. Rather they described a process that was flexible and open in style,
with ample opportunity for group input and discussion. Another element of the meetings which was frequently mentioned by the interviewees was the provision of lunch to participants, which I also observed at the meetings I attended. This undoubtedly added to the sense of informality, as the meeting agenda advanced while participants were eating together.

One final aspect of the meetings that bears mentioning here is the attendance. Even though the Statewide panel is the largest in terms of participants and jurisdiction size, attendance is reported to be very good. This may in part be due to the quality of leadership displayed by the chair, who many interviewees complimented on her ability to keep a meeting on task, help panel members feel productive, and foster a positive approach to the panel’s efforts with the Cabinet. It may also be due to the fact that meetings for the Statewide CRP are only held quarterly. Attendance at the regional panels, where meetings are held on a monthly basis, tended to be significantly lower. One interviewee surmised that the increased absenteeism that her panel had been experiencing was a byproduct of tight economic times. Individuals were being asked to assume more responsibilities at their places of employment, subsequently leaving little time for outside volunteer activities. Interviewees from each of the panels also noted the existence of a core group of attendees who rarely miss. It is generally from this core of consistent participants to which leadership of the panel typically falls.
Instructive Insights from the CRP Process in Kentucky

The following insights regarding the CRP process in Kentucky were gleaned during the course of research activities, and are instructive for the development not only of the current case, but also for a broader understanding of mandated citizen participation. In particular, these insights were among the common themes that emerged during the in-depth interviews with panel participants and agency administrators, and are corroborated in the analysis of the annual CRP reports. Within them, the reader should find elements that make Kentucky’s experience with the CRP process somewhat unique, as well as elements that transcend across other cases and settings.

**Continuity in CRP Coordination.** One of most notable features of the CRP process in Kentucky is the lengthy tenure that the current coordinator has in that position – over a decade as of this writing. Having assumed the responsibilities shortly after the panels were originally created, this longevity is a tremendous benefit to both the state and the citizens groups. Among other things, it has provided a store of institutional knowledge – i.e. historical perspective and experience – with which to address challenges that arise as citizens and administrators navigate the nuances of their structured relationship.

The institutional knowledge accompanying the long-tenured coordinator is further enhanced by a unique role he simultaneously assumes as a consultant with the National Resource Center for Child Protective Services. In this capacity, Kentucky’s coordinator also hosts a website with resources for CRPs across the country, maintains an active listserv to disseminate newsletters and useful information regarding issues of interest to panel volunteers and affiliated state agency administrators and employees, and travels to
consult with and assist panels in other states as they develop and work to carry out their functions. Kentucky benefits from the knowledge and connections attained by their coordinator in the performance of these additional duties, which are funded by the federal government’s Children’s Bureau.

**Expanding Intrastate CRP Connectivity.** Kentucky’s coordinator has also pursued ways to expand the connections between the state’s active panels. Towards this end, the CRPs have started holding an annual retreat in the late summer or early fall to which all panel members are invited. In the past, panels would hold separate retreats, meeting within their own groups to plan actions for the upcoming year. However, within the past few years, this has moved to an all-panel format, including an overnight stay in a state park, followed by activities ranging from team-building exercises to brainstorming sessions.

When describing the retreat, one of the key benefits noted by the interviewees is the opportunity to orient and train new panel participants. This is especially important given the turnover in membership throughout the year. The constant addition of new participants can hinder the forward progress of the panels. One liaison noted: “New participants have so many questions. It can be a challenge to get them up to speed without side-tracking the rest of the group.” Another interviewee, who recently resigned from her position on the panel after five years, said she “didn’t feel like the group was being productive, with new people coming on board all the time. It felt like we were starting over each month.” Though it doesn’t eliminate all of the challenges, providing systematic training at the annual retreat was reported to be a major help.
Another important benefit of the retreat is that the panels use this time as a jumping off point for their reporting cycle (based on a fiscal year beginning July 1), establishing the topics that they will pursue during the upcoming year. Indeed, a main goal of the retreat is to help panels develop a course of action for their efforts. One current panel member described the value of the retreat in terms of the direction it can establish for the year: “The retreat is helpful in setting the tone of our work for the year. Being able to work together to set a common topic and engage in team-building really pays off.” There was also a sense of excitement described by some panel members in being able to see what other panels across the state were doing and to know that others were engaged in similar efforts – helping them to find strength in numbers. In this regard, one participant noted that, “The retreat is the best thing they ever did. It creates synergy between the panels, fosters enthusiasm among the participants, and broadens the discussion of CRP issues. We don’t want to be talked to, but rather to talk to each other.”

**Strengthening CRP-Agency Connections.** Recently, there has been a more concerted effort to increase direct interaction between the CRPs and top-level administrators from DCBS and the Cabinet. These efforts were apparently motivated by the perceived need to rebuild damaged relationships. The source of the perceived schism was in part traceable to inflammatory comments made by one panel member regarding DCBS in a public forum. One interviewee lamented: “One damaging comment or event can undo a lot of goodwill that was built over time. . . . After this happened, [we] spent the rest of the year saying ‘mea culpa’ and trying to take care of it. It felt like a lot of that year was wasted.” Higher-level representatives of the Cabinet, including the Commissioner of DCBS, now meet on a quarterly basis with the chairs of each panel to
discuss the work of the citizen groups. The result has been an enhanced mutual understanding of the work that each is trying to accomplish and a recognition that they can work together.

**Information Sharing: Quantity vs. Quality.** As mentioned earlier, one of the underlying factors that precipitated the creation of the memorandum of understanding between DCBS and the panels in Kentucky was the perception early in the history of the panels that timely, useful information was not forthcoming from the state agency. This was seen as an impediment to the work of the panels, but appears to have improved somewhat over the years. When asked to discuss information-sharing between the state agency and the panels, nearly everyone spoke positively of the relatively quick turnaround on requested information. Similarly, most interviewees felt that the information, though technical, was fairly straightforward to comprehend. Only those participants that truly come from outside the larger system, meaning those who were not former employees or partners with DCBS, reported any difficulty comprehending the information. A significant portion of the challenge stemmed from some panel members’ lack of previous familiarity, and general bewilderment with the language and practices of a large state bureaucracy.\(^{10}\) Where explanation of the data was required, most participants were content with the help received from the DCBS liaison and CRP coordinator. Interestingly, it seems that at times the bigger challenge for many panel participants wasn’t a dearth of information so much as an overabundance. Several interviewees noted that the quantity of information could be quite overwhelming.

\(^{10}\) Referencing government bureaucracy’s love affair with acronyms, a CRP member with no direct connection to the child protection system said: “I thought I was drowning in alphabet soup.”
**Standardizing the Information Sharing Process.** It is chiefly the responsibility of the liaison – the DCBS representative assigned to assist the citizens’ group – to gather and convey information requested by the panel. Most panel requests for information emerge during the natural course of panel meetings. For example, when discussing a particular topic of interest about which more knowledge was desired, panel members might ask the liaison to help them obtain relevant information or access to people who could further their understanding of the issue by coming to speak to the group.

However, there are also times when panel members might ask for information outside of the panel meetings. The process has, until recently, been relatively informal. To add clarity (and formality) to the process, DCBS developed an information request protocol for panel members to follow. The protocol specifies a list of reports for which no formal approval is required, mainly including basic system statistics. More controversially (at least in the eyes of some panel members) are the steps that now must be followed to request information not on the pre-approved list. These steps include specifying the needed data or report, including the desired time frame for historical information, noting when the information is needed, and giving some justification for how the data helps further the CRP’s strategic plan. Whether at the state or regional level, the liaisons now take the panel’s requests back to the pertinent administrators for review and approval. State-level requests are funneled through the central DCBS office in Frankfort, while regional-level requests go through the appropriate Service Region Administrator.

Several agency administrators with whom I spoke described the protocol as a way to bring some guidance to the process, even going so far as to imply that they served a
type of quality-assurance role by allowing DCBS to track and monitor requests. Some panel members, however, saw the information protocol as a control mechanism used by the agency to discourage the CRPs from requesting information. The formalization of information requests, with its overarching emphasis on rules and procedures, served to make this most basic aspect of the CRP process more bureaucratic in nature. By so doing, it reinforced the prime position of DCBS in the panel-agency relationship, a development reminiscent of Stewart’s (2007) notion that by controlling the rules of engagement, agencies “win” in games engaged with citizen participants.

While it is rare, there have been times when the Cabinet or the DCBS regional administration has denied sharing certain information with the panels, particularly when it entails confidentiality concerns. One administrator with whom I spoke gave the example of denying a panel’s request for information relating to employee discipline. In a tone of disappointment, the interviewee continued by saying: “Some of the people on the panel have worked here. They should know better than to ask for certain information, but they seem to have forgotten.”

Getting a negative response from the agency can be upsetting to the panel, but the apparent sting can often be lessened by a liaison that can provide adequate explanation for the denied request. While it may be assumed that the agency is “holding back” (as one interviewee noted), very often it is the case that the agency simply does not keep certain information. One panel member – a former DCBS employee – observed that, “Sometimes we assume that DCBS has the information that we need when they actually don’t. They usually tell us why not.”
An Adversarial Narrative: Vicious Cycles and Self-Fulfilling Prophecies.

Several people that I interviewed described a type of vicious cycle in the way that the relationship between the CRPs and the Cabinet has evolved. A few individuals traced the adversarial narrative back to the CAPTA legislation itself, which they interpreted as pitting the citizens group against the agency in a watchdog role. While many of the respondents noted that playing an oversight role doesn’t necessarily have to evoke a combative tone, others, particularly those with experience in the state agency, bemoaned “another set of eyes” trained on finding things the agency is doing wrong. For many, “the CRP has been seen as being on a witch hunt.”

While the following description suffers from a certain chicken-and-egg dilemma, the vicious cycle follows a familiar pattern and appears to evoke elements of a self-fulfilling prophecy. The agency comes to view the panels through suspicious eyes and turns defensive and guarded in its approach with the citizens’ groups. The lack of responsiveness frustrates the panels, which then take on a more adversarial tone. This of course confirms the agency’s perceptions of the panels, and the cycle continues.

In 2010, at the urging of the chair of the Jefferson panel, the CRP coordinator embarked on a comprehensive study of panel recommendations and DCBS responses as a way to assess the impact of the panels’ efforts on the policies and practices of the agency. Essentially the study sought to ascertain both the quantity and quality of agency responses to the panels’ recommendations over time. Interestingly, the results of this study tended to confirm the preconceived views of the people that I interviewed. For most panel members, this meant a confirmation of their belief that the agency did not value their recommendations. In the words of one interviewee – a long-serving panel
member: “We did the comprehensive study on over ten years of recommendations, and no one can clearly see what has come out of this [the CRP] process.” On the other hand, DCBS administrators were pleased that the results showed the agency to be quite responsive to the panels. As noted by one administrator: “The CRPs were shocked at how many recommendations had in some way been implemented. We have incorporated their recommendations [more than they assumed].” In this case, the divergence in conclusions and the apparent confirmation bias of the study’s interpretation is as insightful as any revelation that could have come from the review itself.

A Challenge to Collaboration: Shifting Priorities and Moving Targets. A major impediment to establishing a collaborative relationship is the difficulty in aligning the goals of the CRP with those of DCBS. Granted, when asked about mutual goals, nearly all respondents discussed in broad terms that both groups were seeking to “make things better” for the state’s children and families. The diffuse, even ethereal nature of this goal did not appear to provide sufficient cohesion between the parties, as the realities of political and administrative constraints took a more prominent presence in agency’s actions.

With so many state and federal mandates pressing on the agency, and operating in a constrained fiscal environment, administrators are constantly faced with the discomforting reality of having to do more with less. If the CRPs are perceived as an added burden rather than a support, working with them becomes less of a priority for the agency. Finding themselves on the low end of priorities can be a drag on CRP efforts, making them feel like more of a nuisance than a productive entity. As one frustrated
panel member said: “It appears it is just a waste of the Cabinet’s time to have to deal with us. They have more important fish to fry.”

One top-level administrator with whom I spoke offered this insight: “Too many ‘top priorities’ make agency work get in the way of working with the panels.” The administrator continued: “It has been a challenge to work towards mutual goals [with the CRPs]. Often the nature of the larger child welfare environment forces us to be a reactive agency. This causes us to shift our priorities frequently.” The shifting agency priorities make for a moving target for the CRPs. Even if they can get on the same page, so to speak, achieving continuity in mutual efforts is difficult given the dynamic nature of top-leadership turnover in most state government agencies.

**Leadership Matters.** Some panels have taken active steps to reframe the adversarial narrative and break the perceptions driving the cycle described above. One thing is clear in this regard: leadership matters. The chair of the Statewide panel described the efforts that she had taken to build a relationship of mutual trust with the Cabinet, including efforts to actively seek a dialogue with DCBS. Given the volatile nature of the public’s perception of the child protection, and sensing that the agency already suffers a “bad self-image,” she has approached the narrative with administrators not by telling them what they need to fix, but rather by asking how the panel can help them to improve. More importantly (yet less easily duplicated) has been her personal ability to diffuse potentially combative interactions. The CRP coordinator described a recent meeting he had with each of the panel chairs and the Commissioner (one of the quarterly meetings described earlier), during which the diplomatic prowess of the Statewide panel chair was on full display. At this meeting, the Statewide panel was to
share the preliminary findings of a survey they had conducted with both community
partners and agency employees, the results of which were highly negative and critical of
DCBS. He said:

I was dreading going in there and talking with them. I thought it was going to be a big
fight, but it was a great meeting largely thanks to [the Statewide panel chair]. . . . She is somehow able to convey the message that ‘we will be independent and say critical things if we need to, but we’re doing it to be helpful, and not just to shoot off at the mouth and hurt you’. She is highly diplomatic.

The diplomacy displayed by the panel chair in the scenario just described was one example of how an adversarial narrative might be reframed towards greater collaboration. This theme will be examined further in Chapter Eight.

**A New Approach for the Jefferson Citizen Review Panel.** Historically, the relationship that the Jefferson CRP has had with the regional DCBS office and the central Cabinet has been characterized as up-and-down, generally with an underlying tension and sense of distrust between the parties. The tension is not unique to the Jefferson panel, but seems to have been particularly pronounced, especially among the active CRPs in the state. When asked what factors were important to setting the tone of the relationship between a citizens’ group and a state agency like DCBS, it is perhaps not surprising to hear citizens pointing to factors under the agency’s control (e.g. administrative support, responsiveness to recommendations), while administrators tend to point the finger towards citizens (e.g. people with an axe to grind or a lack of understanding constraints).

Admittedly, the verdict is still out on the efforts described under the current heading. Yet, the approach is so different from what the panel has previously done, the potential impact so promising, and the sense of hopefulness invoked by those who
described it to me so great, that it bears discussion here. Without a doubt, what frustrates participants in the citizen review process most are perceptions that the work they are doing is not valued, or put another way, that their time and efforts are being wasted. And one of the most prominent gauges of how the agency values the panel is through their responses to the annual report and recommendations. This has long been a sticky point for the Jefferson panel in particular. This group opened its 2010 report with a pointed rhetorical question: “Does the Cabinet value our input?” Their short answer to this question was simply, “that as an organization, the Cabinet does not value or utilize our recommendations.” This concern permeated the 2011 report as well.

During panel discussions at the 2011 fall retreat, the Jefferson panel observed an interesting pattern in DCBS responses that troubled them. They noted that the more specific and pointed their recommendations, the broader and more generic the responses from DCBS seemed to be. For example, some of the most frustrating responses were those in which DCBS simply invoked a lack of adequate funding to address the problem identified. To challenge this pattern, the Jefferson panel, at the recommendation of their chair, decided on a new approach for the current year in progress.

The new approach entailed three basic features. First, they eliminated the sub-committees, opting to work as an entire committee on two topics per year. Second, the panel members planned to examine these topics in succession during two six-month periods, but committed themselves to being flexible and patient in allowing topic research to spill over multiple report periods if needed. Finally, rather than working towards specific recommendations as had always been the practice, they would devote themselves entirely to developing the most comprehensive, evidenced-based empirical
findings they could about their topics. In essence, this would put the onus on the Cabinet to respond to the panel’s presentation of evidence rather than to the panel recommendations. Ultimately the hope expressed was that such an approach would move both parties to engage in dialogue about shared solutions that make sense to both parties. This aspiration was captured by the chair, who said: “We may not be able to tell the Cabinet what the right solution is, but our research should be able to clearly show what the problems are. Hopefully we can get the Cabinet to say, ‘We agree that this is a problem. Let’s talk together about moving towards a solution’.”

Feeling Valued and Successful: The Interplay of Process and Outcomes. One of the interview questions asked of respondents was whether or not the agency valued the work of the citizen review panels. In probing for justification of their answers, it was most intriguing to see the emergence of two driving factors used to give evidence for perceptions of how citizen participation is valued. On the one hand was what may be called outcomes-based evidence, where participants gauged their own perceived value as a function of the agency’s level of responsiveness to panel recommendations. In other words, they sought a direct connection between the panel’s work efforts to some change in agency policy or practice. On the other hand were those who focused on process-based evidence. These respondents tended to point to the level of support that the CRP received in carrying out its functions as evidence that the agency valued the panel’s work.

A related question asked respondents how they would define success in the work of the CRPs. Along the same lines as perceptions of being valued, answers to this question showed definite distinctions between outcomes- and process-based perceptions. For interviewees with an outcomes-based paradigm, success was a direct function of
recommendations implemented or changes made by DCBS. Where affirmative response to recommendations was not given, success in an outcomes-based view then hinged on the perceived thoughtfulness with which the recommendations were engaged. At the very least, citizen participants wanted evidence that their work had been taken seriously. For those who described success in process-based terms, greater emphasis was placed on the perceived importance of participating or engaging in the work. As expressed by several respondents, this could stem from the belief that part of being a good citizen in a broader sense is getting involved in public affairs. Or, as others suggested, there was a certain satisfaction in knowing that you had done quality work, despite the outcome. “Even though it can be frustrating not to see our recommendations fully implemented, the work itself can be a pleasure. You can feel good in knowing that the job [of citizen review] is important and that you’re doing it.”

Interestingly, a third model of success emerged from the interview discussions, which could be placed somewhere between the outcomes- and process-based views just described. For some of these participants, success hinged more on the relationship that developed between the CRP and the agency as a result of their repeated interactions. The following sentiments expressed by various interviewees are indicative of a relationship-based model of success:

“Success would be to reach a collaborative partnership between the CRP and DCBS, in order to support the work of child well-being.”

“Having a relationship with the Cabinet that is mutually respectful.”

“Achieving meaningful dialogue would be a success, even if no recommendations were fully adopted. The recommendations may trigger movement later.”

“Getting ideas into the ‘conversation’ that can . . . help the Cabinet later.

“Working together to come up with solutions.”

120
The three different bases of defining value and success – process, relationship, and outcomes – have important implications on the expectations that people have for their participation. These are examined more fully in the cross-case analysis in Chapter Eight. Suffice it to say here, while being able to clearly identify outcomes was an important gauge for panel success, the difficulty in doing so often caused participants to shift focus towards the process of participation and the status of panel-agency relationships.

**Conclusion**

The CRPs in Kentucky have had a long developmental history, experiencing various levels of success along the way. Some of the struggles experienced by these panels are common across states, while other developments are unique to Kentucky. Despite the challenges, the work of the panels has moved forward, proving the citizens’ groups and state agency to be resilient and innovative in trying to address concerns that arise during the participatory process.
CHAPTER SIX

UTAH'S QUALITY IMPROVEMENT COMMITTEES

Overview of Child Protection in the Beehive State

Child protective services in Utah are centrally administered, with the highest-level offices located in the capital – Salt Lake City. Organizationally, the work of child protection resides within the Division of Child and Family Services (DCFS), which is overseen by an administratively-appointed director. As an agency, DCFS falls under the purview of the broader Department for Human Services (DHS). The executive director of DHS is a political appointee – a member of the Governor’s cabinet – and oversees a number of services beyond those related to children and families, including such areas as substance abuse, mental health, aging, juvenile justice, and licensing.

The central agency provides overall direction for the child protection system. However, as is the case in many other states, the day-to-day operations of DCFS in Utah are handled through regional administrative offices, of which there are five, as shown in figure 6-1. Each region is headed by a director, and entails a full administrative and staff structure to provide child protective services, including supervisors and caseworker positions. Utah is a large state geographically, and its counties – there are only 29 of them – also cover sizable distances. To help offset the challenges inherent in such geographically large administrative regions, DCFS also has established smaller sub-regional offices to handle more local concerns. These local offices, however, do not set DCFS policy and practice. This is left to the region and state administrators in particular, though primacy in these matters ultimately rests with the central agency.
Compliance with the CAPTA Mandate

**A Motive to Comply.** The Utah experience in complying with the CAPTA mandate to create citizen review panels for child protective services is unique from the other cases examined. Though many differences could be noted, the main distinction lies in the tumultuous environmental conditions under which the state originally organized the citizens’ groups. Like most other states, Utah had its panels organized by the 1999 deadline. However, unlike other states, there is no evidence to suggest that the formation of these groups was in actuality motivated by a desire to maintain CAPTA compliance. Indeed it seems that CAPTA compliance was largely an afterthought – a fortunate byproduct of addressing other more pressing concerns.
If you ask anyone who has been even remotely connected to DCFS over the past decade what the most important development for the state’s child welfare system has been during that time, they will with near universality discuss “the lawsuit,” known formally as *David C. v. Leavitt* (for a thorough history of the case, see O’Toole and Welch 2012). In 1993, a major class-action suit was initiated against Utah’s DCFS by the National Center for Youth Law (NCYL), citing widespread concerns about nearly every aspect of the state’s child welfare and foster care systems. In response, the State agreed to an initial four-year settlement plan, which detailed some 93 provisions for reforming its child welfare system, the progress of which would be monitored by a three-member oversight panel (O’Toole and Welch 2012). However, the State did not make sufficient progress in changing the systemic shortfalls; the conclusion reached by the monitoring panel at the end of the four-year period was that “DHS and DCFS were woefully non-compliant” in many areas (McDowell 2000, 81).

With the first attempt at settlement rejected, NCYL pushed for additional court intervention. In 1997, a federal judge ordered the State to create a comprehensive plan to address the identified concerns. Further, the court appointed the Child Welfare Policy and Practice Group (CWPPG), a non-profit organization with expertise in child welfare reform, to provide extensive monitoring of DCFS’s efforts. In early 1999, DCFS, together with CWPPG, published its Performance Milestone Plan (“Milestone Plan” or “Plan”), with nine broad objectives – and 112 specific tasks – that it would be forced to meet in order to exit court oversight and retain full agency autonomy (O’Toole and
Welch 2012). The plan focused on a number of accountability mechanisms, among which was the requirement that DCFS establish quality improvement committees (QIC) made up of community members and partner groups. According to the Milestone Plan, “these committees, which will be developed in each Division region and at the state level, will be responsible for utilizing information from the data trends, cases process reviews, and quality reviews to guide necessary change to ensure system improvement” (Utah Division of Child and Family Services 1999, 4).

That Utah became de facto compliant with the CAPTA citizen review panel requirement through the establishment of its QICs was really an accidental intersection of two separate, yet nearly simultaneous developments. While the QICs are clearly reminiscent of the CRPs described in the CAPTA legislation, they have their origins in another time and place. In a telephone conversation on September 27, 2011, Paul Vincent, director of CWPPG and lead court-appointed monitor of DCFS under the lawsuit, suggested that the model of Utah’s QICs predates the CAPTA review panels by several years. In the early 1990s, Mr. Vincent had been the director of Alabama’s child protective services, when a similar class action suit was brought against that state. It was this experience in working through significant child welfare reforms that Mr. Vincent later used to establish the CWPPG, in order to consult with other states facing the need for systemic change (O’Toole and Welch 2012). The recommendation to develop quality improvement committees in Utah are directly linked to similar developments that had been done previously in Alabama.

It would take nearly a decade – until late 2008 – for CWPPG to determine that DCFS had produced sustainable changes to the system such that it would recommend to the courts an end to the monitoring relationship (Child Welfare Policy and Practice Group 2008).
Regardless of the unique circumstances under which it maintained eligibility, Utah has continued to benefit from CAPTA funding. In recent years, the state has received around $300,000 in basic CAPTA state grants (Stoltzfus 2009). Furthermore, it has leveraged almost $430,000 of additional funds from the CAPTA community-based grants (U.S. Department of Health and Human Services 2011), and another $210,000 in Children’s Justice Act grants (Stoltzfus 2009). While these figures are relatively small in comparison to the overall amounts of federal funding for state child welfare programs, they nevertheless remain important to child protection agencies.

**The Development of Utah’s Quality Improvement Committees.** The unique origin of Utah’s quality improvement committees was noted previously as being in response to the court-mandated improvement plan. This plan called for the formation of QICs in each of the state’s administrative regions, as well as a State-level committee, to be in place by June of 1999 (Utah Division of Child and Family Services 1999). Though the state has five regional jurisdictions, the plan specified that at least seven regional QICs would be created. This meant that some of the rural regions, due to large geographic size, would have more than one committee.

**Active Committees.** Reliable roster lists for the committees prior to 2007 were not available. However, each annual report since that time has included a list of participants, from which Table 6-1 was constructed. As shown below, during the most recent five-year period, in addition to the State QIC, there were at least eight regional committees in all but the most recent year, when the number went down to seven. According to a number of people that I interviewed, the rural Eastern Region QICs have struggled at times to function, a fact borne out in the annual reports. The Uintah Basin
QIC was disbanded in 2009, while the Moab QIC was formerly merged with the group in Price for FY 2011, after only two years in existence. For all intents and purposes, the Moab presence disintegrated with the merger, as no representatives from there appear on the updated roster lists.

**Table 6-1. State and Regional QIC Membership, 2007-2011**

<table>
<thead>
<tr>
<th>Quality Improvement Committee</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>State QIC</td>
<td>16</td>
<td>13</td>
<td>16</td>
<td>17</td>
<td>13</td>
</tr>
<tr>
<td>Eastern Region QIC (Moab)</td>
<td>11</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastern Region QIC (Price)</td>
<td>11</td>
<td>13</td>
<td>14</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Eastern Region QIC (Uintah Basin)</td>
<td>23</td>
<td>23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Region QIC</td>
<td>27</td>
<td>32</td>
<td>38</td>
<td>39</td>
<td>39</td>
</tr>
<tr>
<td>Salt Lake Valley QIC</td>
<td>19</td>
<td>27</td>
<td>20</td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td>Southwest Region QIC (Cedar City/Iron County)</td>
<td>17</td>
<td>15</td>
<td>14</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>Southwest Region QIC (Sevier County)</td>
<td>23</td>
<td>19</td>
<td>21</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Southwest Region QIC (Washington County)</td>
<td>20</td>
<td>31</td>
<td>37</td>
<td>27</td>
<td>26</td>
</tr>
<tr>
<td>Western Region QIC</td>
<td>29</td>
<td>35</td>
<td>39</td>
<td>38</td>
<td>36</td>
</tr>
</tbody>
</table>

Source: Membership totals were tallied from roster lists available in the annual QIC reports.

**A Committed Core.** Something that clearly stands out on the table above, especially in contrast with the other cases in this study, is the large number of participants on some of these committees. For example, since 2007, the Northern Region QIC has ranged in size from 27 up to 39 participants. The Western Region QIC and the Southwest Region QIC in Washington County have been similarly sized. These numbers, while impressive, can be misleading, however, as they reflect only roster lists rather than active participants. When asked about committee meetings, each of the interviewees acknowledged that attendance was typically much smaller. And among attendees, there is an even smaller “core” of people who regularly and actively participate. For example, according to several interviewees from the Northern Region QIC – the largest active regional committee – while the group roster may show more than
30 people at any given time, typical attendance is closer to 20 people, with a core of about 15 who always attend. The numbers vary across the QICs, yet this notion of a committed core of active participants came up in nearly every interview. It is this group that largely moves the work of the committee forward.

Panel Composition. Unlike the CAPTA legislation, the original conception of the QICs as laid out in the Milestone Plan was quite specific in both the intended size and composition of the committees. Accordingly, the State QIC was to “include a maximum of 11 individuals: three from private, [or] non-profit, partner groups, three from local businesses, two from the professional community, one Guardian ad Litem representative, and two people from the DCFS state office” (Utah Division of Child and Family Services 1999, 78). The Regional QICs were to be capped at ten participants, including the associate regional director of DCFS, a separate DCFS data specialist, and a mix of community individuals. Clearly at some point in the progression of the QICs the size restrictions were relaxed, as all of the panels now exceed the numbers in the Milestone Plan. Less clear, however, is whether the expanded committees are the result of greater enthusiasm for the process, or rather a simple progression away from the court monitor influence over time.

Similar to other states, Utah’s QICs are largely comprised of professionals working in organizations with close ties to child protection. Some of this over-representation of professionals undoubtedly reflects the vested interest of individuals working in related fields and agencies. While these individuals may well have a natural inclination to volunteer time in this area, they almost assuredly have a greater chance of finding out about the groups in the first place. For one thing, much of the recruitment for
the QICs is done by word of mouth, and is most often targeted to fill certain perceived needs of the committee. Typically this includes trying to get a broad array of outside agencies and fields involved, whether in mental health, law enforcement, or juvenile justice, to name a few examples. This sort of targeted recruiting almost ensures that these committees will tend towards heavier professional composition.

One of the biggest challenges to recruitment and retention are the time constraints that people have. Holding meetings during the workday prevents many people from being able to participate. This is another major reason that the QICs are so highly steeped in professional partners who work in fields with close connections to child protection. People coming from partner agencies are more likely to receive organizational support from their employers in order to participate on the QIC. For example, given the prevalence of QIC participants from one particular foster care entity, a large state-wide non-profit partner of DCFS, one could easily surmise that the organization values the additional interactions with the state, sees the obvious connection between its mission and that of the QICs, and is happy to support or even encourage some of its employees in attending the monthly meetings.

On the other hand, for many of the same reasons, the QICs often struggle to get valued participation from those who might be considered true outsiders to the system. One group of people that the QICs struggle to recruit, and especially to retain, is former clients and service recipients who are uniquely positioned to provide feedback about their experience with DFCS. Aside from typical time constraints, participation by this demographic is further hampered in other ways, some directly tied to socio-economic characteristics. As noted by several interviewees, many former service recipients may be
constrained by limited transportation options. Furthermore, even when they can participate, they often feel out of place in a room that is otherwise full of professionals. As noted by one DCFS representative, who thought it would be optimal to have at least some former clients on the QICs: “It would take a strong person to stick out among professionals and really have a voice.” If the passion or vested interest is insufficient, the other obstacles are often too much to overcome, and retention of these individuals suffers.

Another important group that a few of the QICs have had somewhat more, yet still limited success at recruiting is foster parents. These individuals experience the system from a service recipient perspective, yet have work lives that are in other fields outside of child protection. To borrow from a common phrase, they are “in the system, but not of the system.” As such, the insight they can offer was considered invaluable by many people with whom I spoke. Though they face similar time constraints, they often display a robust passion for the committee’s work because their experiences with foster children personalize the issues. Indeed, two of the most passionate QIC participants with whom I spoke were foster parents, otherwise disconnected from child protective services. Further, regardless of their background or expertise, because they are at some level a partner in the bigger child welfare process, they often achieve a different level of comfort with the other participants. As one interviewee noted of her experience as a foster parent serving on a QIC, “They treat me as a professional. They respect my opinion. . . Foster parents are an emotional group driven by a lot of passion. I appreciate that [the other participants] listen.”
State Support of the QICs. Perhaps the most distinguishing aspect of state support for the work of the quality improvement committees in Utah is the fact that DCFS actively participates on each QIC. To support the work of the committees, DCFS provides an administrative assistant, or secretary, to handle such nuts-and-bolts functions as sending out meeting reminders, preparing and distributing agendas, taking meeting minutes, and ordering lunch where such is provided – similar to the liaisons and coordinators in Kentucky and other states. However, other designated agency representatives who sit on the committees are considered full and active participants in both discussions and decisions pursued by the group. To some, this arrangement may seem an encroachment on the supposed autonomy of the citizens’ groups. Indeed, many of the respondents, particularly those from DCFS, were careful to note the delicate balance between perceptions of committee independence and agency control. However, the people I interviewed overwhelmingly regarded the direct face-to-face interaction as distinctly advantageous and important to the groups’ success. These perceptions are discussed more in-depth later in the case, but it suffices at this point to note this unique feature of state support for the QICs – DCFS is at the table.

Some states, like Kentucky and Pennsylvania in the current study, have contracted with outside entities to provide external coordination of the work of the citizens’ groups. In Utah, however, the function of coordinating the QICs has remained internal to DCFS. The current coordinator, who has filled the role since about 2005, is an administrator at the central office of DCFS in Salt Lake City. Part of her responsibilities are to oversee both professional and community development for the state agency, which in this case includes working with the quality improvement committees. Her familiarity with the
QICs extends further back, however, to her work as regional director of the Northern Region when the Milestone Plan was originally created in 1999.

Because of the standing DCFS presence on most of the regional QICs, the coordinator plays a different role in Utah than in Kentucky. The most significant difference appears in the much smaller, more distant role that she assumes with the regional groups, focusing her efforts on the State QIC. In this regard, she more closely approximates the state liaison in Kentucky, who attends and supports the work of the Statewide CRP, but offers additional support to the regional groups when needed.

**Participation Structures.** The fact that DCFS is present and active on the QICs in Utah changes the nature of interactions between the citizens’ groups and the state agency in everything from choosing projects to sharing information. Because administrators are at the same table, there is a more fluid process of interaction than is the case where a liaison simply acts as a go-between for the parties involved, which has the effect of segmenting discussions. With administrators being directly involved, there is often less waiting for information desired by the committee. Either the administrator will have knowledge to address questions at the meeting, or can direct that such information be gathered, without a formal approval process as was the case in Kentucky.

Not only is information sharing more fluid with the DCFS administrative presence on the committees, so too is the actual recommendation process. While the QICs still produce an annual report summarizing the year’s activities in accordance with the CAPTA requirements, the recommendation process in Utah remains an ongoing activity throughout the year. To provide some structure in this regard, DCFS developed a formal set of guidelines for issuing recommendations. In essence, the QIC must first
determine whether the recommendations they offer are pertinent just to the region and are within the regional authority to act, or if they more broadly require state attention. The DCFS representatives on the committee can help provide guidance on this determination on a case-by-case basis. According to administrators with whom I spoke, however, certain types of recommendations require state-level consideration, in particular those entailing funding increases or proposing changes in law or formal practice guidelines. Once the appropriate level is determined, the committee sends a formal letter detailing the recommendations to the DCFS administration, which under normal circumstances has 30 days to respond in writing to the committee.

Aside from the founding provisions of the Milestone Plan and the guidelines for the recommendation process, I discovered very little additional superstructure in place for the QICs. When I asked the state coordinator about the existence of by-laws, she indicated that a somewhat conscious decision had been made to not develop overly formal rules and voting structures for the committees, or at least not to have such structures imposed on the groups by DCFS. While some expressed that such structures could provide valuable clarity, this decision was a way to try to mitigate DCFS influence on the committees.

**Panel Leadership.** As in Kentucky, each committee is headed by a chair. Early in the development of the QICs, as they were trying to recruit community participants, some groups were actually chaired by DCFS representatives. However, as the committees gained a base of committed volunteers, the state took steps to minimize their presence and impact on the direction of the groups. Currently each of the committees is chaired by a non-DCFS member, selected by the other participants. The role of the chair
generally includes helping to organize meeting agendas and facilitating the flow of meeting activities. The position of chair also includes the authority to speak on behalf of the committee in official interactions with DCFS. For example, it is the chair (or sometimes co-chair) whose signature accompanies official recommendations made by the QIC.

**Panel Meetings.** As detailed in the Milestone Plan, the quality improvement committees meet monthly. Though it varies between committees, each group tends to set meetings on a designated day of the month, such as the third Wednesday, or fourth Monday. Typically the meetings are held at the state and regional DCFS offices during the lunch hour. To accommodate attendees, lunch is provided for participants. The lone exception to this schedule was in the Northern Region QIC, which meets on a weekday morning.

Under the direction of the QIC chair, the meetings follow a formal agenda. Minutes are kept by the DCFS support person assigned to help the committee. These minutes are distributed to committee members for follow-up, and are also publicly posted on the QIC website maintained by DCFS. The committees tend not to follow parliamentary procedure in guiding the meetings, though some of the panels do invoke greater formality when calling for votes on committee decisions. It is more common, however, that the committees simply work towards consensus on decisions through discussion cloaked in much less formality.

By and large, the informal tone of the meetings keeps the process comfortable for people, and in some ways is more conducive to participants feeling free to contribute. Yet there is a precarious balance to be considered in this as well. One interviewee noted:
“A sense of looseness can lead to frustration with the lack of structure, focus, and general clarity.” No matter how comfortable people feel in a meeting, they still place a high premium on productivity. If the meetings devolve to all-talk-but-no-action, participation ultimately suffers. As one regional DCFS director who sits on a QIC noted: “Keeping people invested requires giving them something to do.”

**Instructive Insights from the QIC Process in Utah**

**What’s In a Name? CRP vs. QIC.** It is instructive to briefly discuss the differing nomenclature used to designate Utah’s child protection citizen groups. The norm across the county has been for states to adopt the CAPTA legislation’s term for the groups, referring to them as citizen review panels, or CRPs. Utah’s alternative designation of quality improvement committees, or QICs, stems directly from the class-action lawsuit and court-monitoring relationship from which they were born. The distinction is more significant, and less semantic, than a cursory glance might suggest. According to the director of the group charged with monitoring DCFS during the lawsuit, the citizen review panels are often viewed as just another watchdog, “perpetuating a fault-finding process of oversight” (Telephone conversation, September 27, 2011). On the other hand, the quality improvement committees, as the name suggests, are structured to be less critical and more constructive. The focus is on providing improvement feedback rather than compliance feedback. If such perceptions resonate with administrators and volunteer participants, this would expectedly have important implications on the tone of interaction that develops between the agency and the citizens group.
The Role of the QIC: Providing Supportive Oversight. Several years ago, DCFS developed an information sheet about the quality improvement process that continues to be distributed publicly, in print and on the internet, as an effort to clarify expectations about the work of the QIC. It has also been used to aid recruiting, and has served as a reminder to QIC participants of their purpose in regards to furthering quality improvement at DCFS. Four specific roles were identified on the information sheet, including: 1) support; 2) advocacy; 3) public relations; and 4) systemic review and critique.

It is important to recall that the genesis of the QICs in Utah stemmed from the class-action lawsuit described earlier. The performance plan developed by DCFS in conjunction with the monitoring agent was heavily focused on establishing accountability mechanisms as prerequisites to exiting federal court oversight. It was with this attention to accountability in mind that the QICs were developed, essentially aiming to replace one oversight agent (the court-appointed monitor) with a broader, more citizen-oriented group. Given the environment in which the quality improvement process emerged, it should come as no surprise then that when interviewees were asked to identify what they believed to be the primary role of the QIC, almost all invoked their commission to systemic review and critique – or as some put it, their charge to be “informed evaluators.” Indeed, interviewees spoke widely of the importance of providing “outside eyes” or “fresh perspective,” to a system prone to “tunnel vision” and organizational “blinders.” Interestingly, however, what could be viewed by DCFS as an affront on agency autonomy and expertise, was widely seen as being a supportive process. Several possible explanations are discussed below.
**No Such Thing as a Free Lunch.** Interviewees were asked to identify ways in which DCFS supported the work of the QICs. Among the list of things commonly noted were the lunches provided during the monthly meetings in nearly all QICs (with one notable exception to be described shortly). Similar to Kentucky, most of the QICs in Utah hold their meetings during the weekday and typically during the lunch hour. Providing lunch was described as an important convenience that made attendance and participation at the meetings more feasible for people. As one DCFS regional administrator noted: “Lunch is a way to get people [to the meetings]. They’re not coming just for the lunch, but it is a way to make it doable for people with busy schedules. It allows them to kill two birds with one stone.”

Beneath the surface of the perceived value of these lunches was a more interesting story, one which highlights the importance of expectations, and lends credence to the notion that people often value something much more once it is taken away. During a recent two-year period, due to a very tight state fiscal environment, the governor’s office eliminated funding for lunches across all agencies. Even though this benefit was paid for directly from CAPTA funds, all lunches for the QICs were likewise discontinued. The impact was surprisingly significant. One interviewee, a DCFS supervisor, cited the loss of lunch funding as the biggest challenge to retention of participants. A former QIC chair said: “When lunch went away, it made it difficult to get people there. That’s how people fit this into their busy schedules.” In perhaps the most drastic assessment of the impact of eliminating lunches, another former QIC chair recalled that, “Participation numbers went down dramatically, from maybe twenty-five to about six regular attendees. Lunch is a big deal. It is the least they [DCFS] can do.” Further evidence of the impact of the
lunch policy was seen in the one QIC where no meal was ever provided. In the Northern Region QIC, which has long held its meetings in the morning, the lost benefit was not missed. According to one committee member, “As a result [of our morning meeting schedule], we didn’t have the drop-off that the other QICs experienced when lunch was taken away by the state. If you start something, people come to expect it.”

For some groups, the impact was severe enough that a plea to reauthorize the lunches was formally made by the chair of the State QIC at an annual gathering for QIC participants in December 2010. Even so, the restriction on providing lunch was not lifted until one year later, after the state director of DCFS received approval from the Department of Human Services to open a portion of the CAPTA funds for this purpose. Because the research interviews were conducted shortly after this event, I noted a great deal of enthusiasm for something that under other circumstances seemed quite mundane. I was reminded of the numerous participants in Kentucky who said that the lunches were not a big deal; but they have always had them. In Utah, it seems this was less about the lunches themselves, and more about the state providing a meaningful level of support by which to remove barriers to participation. In doing so, they sent an additional signal that the work of the QICs was valued by the state and state agency.

**Agency Presence and Administrator Buy-In.** Whether or not the name distinction truly matters, there are other structural features unique to the QICs that are fundamentally important to understanding the Utah experience. As noted above, the most distinguishing and important structural element of the QICs is the fact that DCFS representatives are active participants in the process of quality improvement, sitting alongside the citizens on the committees. This arrangement
significantly shapes the relationships which form between the citizens and the agency, as well as the opportunities that citizens have to shape administrative decisions.

Table 6-2 below depicts DCFS representation on the QICs over the most recent five-year period. The tallies are based on the roster lists available in the annual reports, but are limited to show only those QIC members coming from DCFS. Included among the DCFS representatives are the support positions described before. However, DCFS also has higher-level administrative presence on the committees, including program supervisors (i.e. mid-level managers), associate regional directors, and in some cases, even the top-level regional directors.

Table 6-2. DCFS Representation on the Quality Improvement Committees

<table>
<thead>
<tr>
<th>DCFS Representatives</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>State QIC</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Eastern Region QIC (Moab)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastern Region QIC (Price)</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Eastern Region QIC (Uintah Basin)</td>
<td>3</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Region QIC</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Salt Lake Valley QIC</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Southwest Region QIC (Cedar City/Iron County)</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Southwest Region QIC (Sevier County)</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Southwest Region QIC (Washington County)</td>
<td>3</td>
<td>8</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Western Region QIC</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>5</td>
<td>7</td>
</tr>
</tbody>
</table>

Source: Tallied from roster lists available in the annual QIC reports.

Committees on which the top DCFS administrator regularly participates are shown with bold numbers and heavier-lined boxes on table 6-2. For example, the DCFS presence on the Northern Region QIC has long included the top regional administrator, a fact which many noted as being so vital to that particular group’s success. The practice
stemming from the Milestone Plan has been to assign the associate regional director to participate on the regional QICs. The current regional director of the Northern Region of DCFS served in that capacity before being promoted, and had been actively involved with the committee. After her promotion to regional director, she continued to embrace the opportunity to serve on the QIC even though she could have delegated it to someone else, indicative of a high personal level of buy-in to the QIC process by this administrator.

The significance of having top-administrative presence on the QICs cannot be overstated, as it produces both symbolic and very tangible impacts. When administrators take the time to regularly attend and participate in QIC meetings, it signals to the citizen participants that the groups’ efforts are of interest and importance to the agency. Put another way, it reveals an affirming level of support and priority for the citizen participation process.

The presence of DCFS representatives (especially administrators) on the QICs was among the most commonly identified forms of agency support noted by interviewees. This sentiment was likewise routinely expressed by interviewees when asked to provide evidence that the QICs were valued by DCFS. By far the most common response included some description of administrator buy-in. For example, as one participant observed: “DCFS people show up when they could be doing other things.” Another participant, the chair of a regional QICs, spoke glowingly of the fact that, “the regional director is always there at the meetings.” Others were more emphatic on this point: “Are the QICs valued? Definitely! The top leaders are present and provide
personal support.” These comments by QIC participants present a range of perceptions regarding the issue, but each distinctly avows a vital point: administrative buy-in matters.

Administrator presence and buy-in were also frequently discussed as being crucial to the broader development and tone of the relationship between the citizens and the agency. For example, sustained interactions can help to mitigate preconceived notions by both parties, giving each a clearer understanding of the other’s true positions and constraints. One interviewee insightfully noted that, “Getting to know people [from DCFS] allows for the development of personal relationships and facilitates empathy for the challenges involved in administering a large government agency.” The face-to-face interactions also produced favorable changes in administrators’ perceptions of the citizens’ intent, and several interviewees noted the propensity for top-level buy-in to spill over to lower levels of the agency.

A Tale of Two QICs. I spoke extensively with members of both the Northern and Western Region QICs while conducting the research interviews. In many ways the groups are similar. They are both very large in size; each has averaged about 35 roster members over the past five years (see table 6-1). The core of each region includes sizable urban areas, while simultaneously extending out to more sparsely inhabited rural locales. Each QIC has been successful in working with DCFS to implement suggested changes. Yet for all of these similarities, there were also some notable distinctions, and a brief comparison is instructive.

Across the spectrum of interviews, the Northern Region QIC was widely recognized as one of the most active and successfully engaging quality improvement committees in the state. As already mentioned, because of its long-standing practice of
holding morning meetings, the group experienced no decline in activity during the cut-back in state-supported lunches. However, the morning meeting schedule comes at the cost of some attendance and participation, particularly for those whose work may not be as accommodating. For example, one member, who works in public education, lamented the difficulty of being able to regularly participate in QIC meetings, because it would require finding a substitute teacher. Regardless of the challenges, the group has displayed a surprising degree of sustained engagement.

In trying to ascertain why this is the case, two important themes emerged in my discussions with committee members and DCFS administrators. First, the group has enjoyed a long and fruitful relationship with the regional DCFS administration. This was due largely to the continuous presence and support of the regional director, who years before, as associate regional director, had been assigned to work with the QIC when it was first created. Second, concerted efforts have been made to increase participant buy-in to the process as well. For example, the regional director spoke with great satisfaction about encouraging QIC participants to take part in the state’s Qualitative Case Reviews—a multi-day experience including intense training and an opportunity to shadow case reviewers. In her words, this “allowed people to touch child welfare in a way that they otherwise wouldn’t be able to. It helps them to see the complexity of the system, personalizes the issues, and increases their investment in the process and understanding of child protection.” She estimated that about two-thirds of the QIC members had done this. The effects of these efforts were apparent in the strong, committed core in the Northern Region QIC.
The Western Region QIC, by most accounts, has historically been a very active and successful group. However, at the time of the interviews, the committee appeared to be emerging from a brief period of decline. Several factors were noted by interviewees, each converging at roughly the same time and resulting in significant disruption. First, the committee was a casualty of the no-lunch policy. Attendance and participation dropped off substantially. Second, around the same time, the QIC experienced a transition in committee leadership, with a new chair and co-chair put in place. Finally, and most importantly, the committee appears to have been a casualty of leadership transition at DCFS as well. On the heels of a change in gubernatorial administration the year prior, the top leadership of DCFS was rearranged in 2010. The former regional director of the Western Region, who was very engaged with the regional QIC was promoted to head the state office. In his absence, and during the transition, the Western Region QIC lacked the same top administrative presence and support at its meetings, upon which they had come to rely. Consequently, the group’s efforts suffered.

While I saw that the situation was improving, and that the new regional director had started to attend more regularly, some of the comments relayed by members of the Western Region QIC revealed the frustration they experienced during this transition period with the perceived absence of administrative support for their work. According to a former chair of the committee, the most frustrating aspect of her participation during this time was the “lack of DCFS commitment to send regular attendees. . . . They seemed to be sending rotating attendees. They lacked consistency and continuity at the meetings.” A committee member who actually joined during the period in question wondered aloud about the extent to which the QIC was valued by DCFS, saying: “They
care about us, but we’re not at the top of their list [of priorities].” To elaborate, he continued: “They value having a QIC. It is important for them to be able to say that we exist, but this is different than actually valuing the work we do.” Another participant observed: “It was frustrating during the first few months [that I served] as co-chair, when we were trying to re-establish a connection with DCFS. We were looking for goals and direction. There was a real need to address the disconnect that came as a result of all the changes happening at once.” In contrasting the experiences of these two committees – the Northern and Western Region QICs – the impact and importance of administrative support is clearly exemplified.

**Bringing Fluidity to the Process.** Several important provisions render the citizen review process as set up by CAPTA to be segmented. As envisioned in the legislation, the basic sequence of interactions between the citizens’ groups and the state child protection agency included: 1) conducting systemic review of state policy and procedure; 2) submitting an annual report, including recommendations for systemic improvements; and 3) allowing the state to respond to the recommendations in writing within six months of the report’s issuance. The workflow described above means that the CRPs are often well into their next review before the state has responded to the previous set of recommendations. Even if states shorten the timeframe in which they respond to the recommendations, (as Kentucky did from six months to three months), there is still an anticipatable delay, making it difficult to achieve a sense of closure and accomplishment. Furthermore, unless top administrators interact with the panels during the review process, the only significant point of engagement between citizens on the panels and top agency officials comes in the response to the annual report. Such an arrangement, if adhered to,
does little if anything to reduce the distance between the two parties. It also makes
authentic dialogue a near impossibility to achieve.

Utah’s ongoing process of recommendations and responses as detailed earlier,
does not suffer from the same segmentation into singular events like issuing an annual
report and awaiting official response. It enables the QICs to issue recommendations on
an on-going basis, and shortens the mandatory state response time to thirty days. To
comply with CAPTA’s requirement for an annual report, DCFS simply compiles all of
the recommendations and responses at the end of the fiscal year into a single report.

While this format promotes a more on-going form of interaction between DCFS
and the QICs, the real difference is in the aforementioned practice of having DCFS
administrative presence on the committees. In Utah, for those QICs that have DCFS
administrators regularly attending, the potential for ongoing dialogue is greatly enhanced,
as administrators are not just involved in reviewing recommendations ex post facto, but
are part of making the recommendations in the first place. As one QIC chair observed:
“With the regional director [of DCFS] sitting on the committee, the dialogue starts long
before the letter [or formal recommendation] gets written.”

**Ceding Independence for Influence.** In contrast with citizen participants in the
other case states, Utah’s QIC members displayed a surprisingly high level of comfort
with the agency’s active participation in the process. Indeed, only one interviewee
expressed any concern over the arrangement, saying that sometimes it felt like the “fox
was guarding the hen house.”12 Undoubtedly the QIC participants with whom I spoke
valued group independence. Still, the willingness to cede some autonomy in the process

---

12 The same interviewee, obviously frustrated, also invoked the old adage that a smart leader keeps his
friends close and his enemies even closer.

145
was seen by them to be a vital tradeoff to enhance the direction, support, and outcomes of the QIC.

According to interviewees, one very difficult challenge faced by citizen review groups is selecting a focus topic from among the seemingly endless possibilities, particularly when participants may be only cursorily familiar with the agency’s internal policies and practices. Without this focus, the citizen committees frequently flounder and become ineffective, feeling like they are “meeting for the sake of meeting.” The same idea was expressed in both Kentucky and Pennsylvania.

Most commonly, the committees arrive at topics as they “bubble up” in the natural flow of group discussions. Again, the familiarity that most participants have with child protection as traditional community partners to DCFS enables some of these topics to emerge naturally. However, there are times when some guidance towards particular agency concerns can pinpoint fruitful avenues for review. This does not mean that DCFS sets the larger agenda, but rather is on hand to answer questions and provide suggestions for the groups’ efforts. In most cases, such input was welcome by the participants.

**The Satisfaction of Accomplishment.** Perhaps the most important benefit of having DCFS provide some guidance on topics is that issues identified by the agency as pertinent and needing attention are more likely to gain traction when the state responds to the QICs’ recommendations. After all, DCFS administrators are in a position to directly influence the outcomes of the committees’ efforts. This has clear implications for the groups feeling that they are making a difference.

Where many of the participants in Kentucky noted a distinct “lack of teeth” on the review panels, nobody with whom I spoke in Utah discussed such a dilemma. This again
was a direct result of having administrative decision-makers as part of the on-going process. As one former regional QIC chair noted: “The QICs are able to bypass a lot of bureaucracy by going straight to the top. The power of the QIC is in its ability to have access to top-level administrators. The biggest key is being able to talk directly to the administrator without having to go through a liaison.” Because local offices are authorized jurisdictional units of DCFS, regional directors have the ability to make adjustments in administration, so long as these do not create state-level conflicts. Even if the recommendations of the QIC have implications beyond the regional office, having the support and backing of regional administration can greatly assist in getting the attention of central office decision-makers.

To a much greater degree than was the case with the people I interviewed in Kentucky, the participants on Utah’s QICs defined success based in terms of the outcomes achieved by their efforts. By and large, interviewees noted that success was being able to see a connection between the group’s recommendations and any resultant changes in the system, whether large or small. Additionally, interviewees cited specific examples of changes their panels had influenced, noting these to be among the most satisfying aspects of their participation experience. A sampling of recent accomplishments is provided in table 6-3 below:
Several of the QICs took notice of concerns related to the licensing of foster care homes. In particular they were concerned that the process seemed unduly slow and was creating a noticeable backlog where demand for homes outpaced the supply available. The process of approving homes to provide foster care is handled by the Office of Licensing, which falls under the Department of Human Services, but is separate from DCFS. At the regional level, the Western Region QIC submitted a formal recommendation that an additional position be hired in the Office of Licensing to help reduce the bottlenecking that was occurring. Based on the evidence provided by the QIC, and the strength of their recommendation, an additional position was added by the state, and the wait time substantially decreased. Similarly, the State QIC made what the former chair described as “an extreme recommendation” that DCFS should license its own foster parents, bypassing the Office of Licensing. He continued: “This didn’t happen, but it started things moving forward. Things have improved. We started it, but it took a life of its own now with the state making real improvements [in speeding up the licensing of foster homes].”

The Southwest Region QIC (Cedar City/Iron County) found evidence of deterioration in the quality of services being provided by some of the region’s contracted foster care agencies. In particular, they had noticed an increase in the frequency of foster care disruptions, meaning the number of times children were being shifted to new residences. In the course of their review to discover why this was happening, the QIC found that very little if any monitoring of the contracted foster agencies was occurring. This was the result of DCFS having eliminated the internal position in charge of providing that oversight. Based on the QIC’s recommendation to DCFS, funding for the position was reinstated and the position filled anew.

In 2010, the Western Region QIC submitted a recommendation for DCFS to approve a pilot program aimed at providing relief for foster parents who took in the highest-needs children. The proposal included provisions for recruiting and training relief home parents who could provide a couple of days of respite each month, establishing a crisis home for temporary removal of children whose behavior escalates to emergency levels, using interns for additional support, and recruiting additional therapists to provide in-home assistance. The recommendation was resoundingly approved by DCFS, with the added offer of any additional support needed to implement the project.

The chair of the Salt Lake Valley Region QIC spoke enthusiastically about a pilot program his committee had recommended to DCFS, and which was in the formative stages of implementation at the time of our interview. He described how a few of the members of the committee also participate on a child death review team. These members noted that a number of children who have died by abuse were not only “known” to the system, but had been the subject of multiple referrals to DCFS, raising the question of whether something could have been done to prevent the deaths. These were cases where multiple calls had been made (not necessarily in close sequence), but where the abuse, though suspected, had not been substantiated. Based on the recommendation of the QIC, the pilot program would “flag” any multi-referral case, so that an intake supervisor can personally review it, and then present it to a panel to decide what might be done to address the situation, in hopes of preventing any possible escalation of danger to the child.

Within child protection, intake refers to the process of making reports of suspected abuse or neglect to the state. In 2011, Utah’s intake process made a major change, reverting back to a centralized office and away from region-based reporting. Though many different factors and influences were involved, the State QIC was noted for influencing this decision. According to the QIC coordinator, “Centralized intake is in part a result of the State QIC looking at inconsistencies in intake. They asked the right questions, and we [DCFS] saw the need for change.”

A number of the QICs noted other efforts that they had taken in support of DCFS. For example, one regional QIC hosted a professional training session for community partners and another hosted a conference for children aging out of the foster care system. The QICs have also been active in writing media pieces to raise community awareness of child protection issues and have provided recognition awards and lunches for DCFS employees.
Success Breeds Enthusiasm and Confidence. Another interesting theme that emerged from the interviews was the impact that successful recommendations have on the enthusiasm and confidence of participants. Seeing one’s efforts result in perceivably positive change increased enthusiasm for the participation process. As one former chair described the feeling of having a recommendation successfully implemented: “Seeing that we could make this change really energized our work as a QIC.” Another participant noted a similar sentiment: “We felt good about our efforts. A success like this can go a long way to keeping us going as a group.”

This effect was also noticeable in the responses given to such questions as whether QIC members felt like they had a voice in shaping agency decisions. In contrast to other case states, those involved in Utah’s QICs were overwhelmingly positive in their assessment of being heard in this process. Indeed, the outcomes provided evidence that they were not only being heard, but truly valued. Furthermore, such outcomes appeared to impact participants’ expectations for future success as well. When asked about changes in their perceptions of the process over time, interviewees almost universally noted an upward shift in expectations for the ability of the QIC to impact administrative decisions. All of these sentiments point to the distinct possibility that the citizen participation process can induce a sense of empowerment.

Conclusion

In contrast with other states, the citizen engagement process in Utah’s child protection services has many unique features. First, with their genesis from the highly restrictive monitoring environment of a fourteen-year class action lawsuit, the quality improvement committees have evolved to reflect multiple roles, including support,
advocacy, public relations, and systemic review. That the Division of Child and Family Services achieved CAPTA compliance with regards to the citizen review panel requirement appears to be more a fortunate side-effect of wanting to exit federal court oversight as opposed to a conscious decision to follow the legislative mandate. Second, while their foundational intent was to provide an additional accountability mechanism for Utah’s child protection system, their very name suggests a more supportive and constructive purpose, focusing on improvements rather than compliance. Finally, and most significantly, DCFS maintains a strong and active presence on the quality improvement committees. For many of the QICs, this includes having top-level DCFS administrators at the table. While such an arrangement has implications for citizen group independence, a genuine sense of agency support and influence can be a valuable trade-off in the decision to cede some group autonomy. Furthermore, the enthusiasm and confidence evoked by seeing one’s inputs lead to perceivable change – a condition made more likely with administrator buy-in – can go a long way to keeping a citizen group viable and feeling like it has a voice.
CHAPTER SEVEN

Pennsylvania’s Citizen Review Panels

Overview of Child Protection in the Keystone State

In Chapter Three, I described three broad arrangements by which states have undertaken the administration of child protective services (see figure 3-1). At their core, these structures attest in some ways to varying preferences for local administration of certain public services. In the image of a continuum, at one end are systems where child protection is centrally administered by the state. This is the most common structure, and includes both Kentucky and Utah in the current study. At the other end are systems characterized as being state-supervised but county-administered. These systems grant the strongest discretion to county agencies in providing child protective services, with the state playing more of a broad direction-setting and monitoring role. Only 13 states utilize this administrative arrangement, among which is the current case – Pennsylvania.\(^{13}\)

In Pennsylvania, the Department of Public Welfare (DPW) – a cabinet-level agency – oversees a wide array of traditional human services in the state. This includes setting policy and regulations related to child welfare, which of course is done in accordance with relevant laws passed by the state legislature. Within DPW, the Office of Children, Youth and Families (OCYF), acts as a monitor of the county-level child protection agencies to ensure that services are adequately provided and instances of abuse are properly addressed. There are 67 counties in Pennsylvania, and as mandated by state law, each has a Children and Youth Agency to provide for child safety services. The administrators of these county-level agencies are appointed by the local governing body,

\(^{13}\) A small handful of states are found on the middle of the imagined continuum, where systems are state administered, but with significant county discretion in implementation of services.
typically an elected board of commissioners. Because child welfare is administered directly by the counties, it is fundamentally accurate to say that there are 67 separate child protective systems in the state. This adds greatly to the complexity of any state-level analysis of child protection in Pennsylvania. As will shortly be evident in this chapter, the complexity of the county-administered structure has also proven to be a challenge to the creation and function of the citizen review panels.

Similar to the other case states examined in this study, Pennsylvania also has regional OCYF offices. These are shown in figure 7-1 below. The four regions are generally very large in terms of the number of counties included. The Northeast region covers 15 counties, the Western region covers 23 counties, and the Central region covers 24 counties. Though the Southeast region is the smallest geographically, including only five counties, it encompasses the state’s most populous metropolitan area in Philadelphia.

**Figure 7-1. Office of Children, Youth and Family Regional Offices**

Source: Adapted from U.S. Census image (http://quickfacts.census.gov/qfd/maps/pennsylvania_map.html) and descriptions from the Pennsylvania Department of Public Welfare website (http://www.dpw.state.pa.us).

A vital distinction in roles must be made between Pennsylvania’s regional OCYF offices and their comparable regional counterparts in Kentucky and Utah. Rather than
acting as an extension of the state administrative apparatus, as is typically the case where child protection is centrally-administered, the regional OCYF offices of necessity tend towards a monitoring function in relation to the county children and youth agencies. The state licenses the county agencies to perform child protective services through their local agencies. Accordingly, other functions of the regional offices include providing technical assistance to the local agencies, investigating allegations of abuse when it involves local agency employees, and verifying compliance with state law and procedure.

Compliance with the CAPTA Mandate

A Motive to Comply. Pennsylvania has the unique distinction of being the last state to come into compliance with the CAPTA citizen review panel requirement. In 2006 the state finally passed enabling legislation to push forward the creation of the citizen-based groups, a full decade after the federal mandate was first introduced and seven years after the obligatory deadline to have the panels in place. Act 146, signed on November 9, 2006, by then-Governor Edward Rendell, called for the establishment of a minimum of three citizen panels in Pennsylvania. Within the legislation, the panels’ expressed functions were precisely fitted with the federal mandate, including the review of child protection policies and practices and the offering up of an annual report complete with recommendations for systemic improvements.

Pennsylvania’s long delay in becoming CAPTA-compliant raises several important questions that help identify the state’s motive to finally create the citizen review panels. First, why did the state not comply by the original 1999 deadline, as nearly every other state had done? Answering this question with certitude is difficult,
given the lack of documented discussion and the length of time that has passed since the CRP requirement was added to the CAPTA bill in 1996. For example, it could be that at the time, CAPTA-compliance was a low political or administrative priority; that the leadership in place purposely turned attention elsewhere. However, as suggested by some of the people with whom I spoke, it likely had less to do with priorities than it did with perceptions that the efforts it would take to become compliant outweighed the potential benefits to be gained. For one thing, the complexity of the county-administered structure in Pennsylvania made it difficult to organize citizen panels that could meaningfully interact with so many different systems in the way outlined by the CAPTA legislation. Even now, this remains a significant challenge.

What finally led state officials to decide to become compliant? One interviewee – a person with direct experience in the development and maintenance of the CRPs in the state – suggested that a number of important factors coalesced to make CAPTA compliance not only a possibility, but even a priority. First, there was likely a sense of shame associated with being the last state to comply. Indeed, other interviewees thought it embarrassing (and frustrating) to be so far behind on the CAPTA mandate. Second, the citizen review panel requirement was not the only, nor the most burdensome, point of non-compliance. When other significant roadblocks had been cleared, the timing seemed right to pursue the creation of the panels. Third, the governor had made other concerted efforts at openness and transparency in his administration. The creation of citizen review panels naturally fit into this paradigm.

Lastly, the above items changed the cost-benefit calculus in such a way that state officials more clearly saw a path to attaining the CAPTA-related grant funds they had
been missing out on for years. Therefore, access to these funds became a priority. Since 2007, the first year it retained eligibility, Pennsylvania has received over $900,000 annually in basic CAPTA state grants (Stoltzfus 2009). During the same time, the state has also leveraged nearly $1,000,000 annually in CAPTA community-based grants (Stoltzfus 2009; United States Department of Health and Human Services 2011). Furthermore, the state is now compliant with the requirements to receive Children’s Justice Act grant funding, a point of enthusiasm amongst the interviewees with whom I spoke. Gaining access to these varied funds undoubtedly played a key role in the decision to finally create the CRPs.

**The Development of Pennsylvania’s Citizen Review Panels.** In 2006, the Office of Children, Youth and Families, under the direction of the Department of Public Welfare, established a workgroup aimed at overcoming the various roadblocks they were experiencing in trying to become CAPTA compliant (Pennsylvania Department of Public Welfare 2011). The group was comprised of representatives from OCYF, as well as a host of relevant outside community-partner agencies involved with child welfare-related activities. Once the legislation authorizing the creation of the citizen review panels was passed, the CAPTA Workgroup shifted its attention to examining the best way to establish and support these citizen groups.

In 2007, a CRP Subcommittee was formed from the larger CAPTA Workgroup. During the next two years, this subcommittee focused on learning how other states had organized their citizen panels, trying to decide what structure would work best in Pennsylvania. This proved to be a significant challenge because they found few models that adequately fit with Pennsylvania’s county-administered system. Despite the
struggles, specific emphasis was guided towards figuring out how OCYF would interact with the panels, how the volunteers would be educated regarding the child protection systems across the state, and most importantly, what efforts could be taken to advertise the panels and promote recruitment.

As described in the most recent annual report, throughout this process, the CRP Subcommittee operated under two guiding premises, which they felt were essential to the spirit of the CAPTA legislation for citizen inclusion (Pennsylvania Department of Public Welfare 2011). First, though they had the option to do otherwise, they were committed to creating new panels, separate from any similar group already existing in the state. This also meant a concerted effort to extend recruitment efforts to volunteers with enough separation from the system to provide a true “citizen” perspective. Second, they would afford the CRPs the widest possible autonomy and independence to set and pursue topics of inquiry for their reviews. This rather dogged fixation on maintaining panel autonomy is examined later in the case, as it has significant implications on the functioning of the CRPs, as well as the relationships developed with state child protection administrators.

**Active Panels.** After several years of planning how to organize and structure the groups, three CRPs were finally created in 2010. In Pennsylvania, each of the panels is regionally-based; there is no equivalent to the statewide panels in the other case states in this study. This arrangement reflects the state agency’s largely supervisory role regarding child protection in Pennsylvania. As labeled on figure 7-2 below, the three original and currently-active CRPs are located in the Northwest, South Central, and Northeast areas of the state. Initially the Department of Public Welfare envisioned a total of eight functioning CRPs; six of these would be contiguous with the other areas on the
map below, with two additional panels in the largest metropolitan areas – Philadelphia and Pittsburgh (Pennsylvania Department of Public Welfare 2009). According to OCYF representatives whom I interviewed, the development of these additional CRPs has been delayed as the state works through the challenges of supporting the three current groups.

**Figure 7-2. Pennsylvania’s Active Citizen Review Panels, 2010-2012**

![Map of Pennsylvania with regions labeled as Northwest, Northeast, and South Central]

Source: Adapted from U.S. Census image (http://quickfacts.census.gov/qfd/maps/pennsylvania_map.html) and descriptions from the Pennsylvania Child Welfare Resource Center website (http://www.pacwrc.pitt.edu/CAPTA.htm).

In comparing the two previous figures, it is clear that the existing CRP boundaries fall within, but only partially cover OCYF’s regional office jurisdictions. This differs from both Kentucky and Utah, whose regional citizen groups correspond exactly with the jurisdictions of those states’ regional administrative offices. The rationale behind the current configuration and geographic coverage of the panels in Pennsylvania was debated by the CRP Subcommittee during the strategic planning phrase of panel creation. The Department of Public Welfare has long supported youth advisory boards comprised of current and former foster care youth, as another public participation structure. With the exception of Berks County, which is part of the Northeast CRP, but is included in the
Southeast youth advisory board area, Pennsylvania’s citizen review panels follow the same lines as those of the six current youth advisory boards across the state. While this may have been done partly from hopes that the two groups could eventually work together on shared projects (as suggested by a few interviewees), a more likely explanation is that each group is coordinated by the same contracted resource center out of the University of Pittsburgh, as will be described in more detail below.

Furthermore, as discussed previously, the OCYF regional office boundaries cover very large geographic areas, and more importantly, also cover a large number of counties. The reader should recall that each county administers its own children and youth agency. The decision to make the CRPs smaller in size means that there are fewer counties to consider in the review process. This in turn significantly reduces the complexity of that review process by cutting the number of systems under question by any one panel. Even so, the current panels still cover between 11 and 13 counties, each with a separate administration and variation in the practice of child protection. According to interviewees, the panels have struggled to know how to focus their efforts with so many separate systems to review. The result has been for each panel, at least in the first two years of their existence, to pursue issues with more statewide implications (Pennsylvania Department of Public Welfare 2011).

Because the CRPs in Pennsylvania have only been functioning since 2010, it is not possible to ascertain any long-term trends related to panel membership. However, roster lists provided in the CRPs annual reports do provide a snapshot of panel participation. The smallest panel is in the Northwest area. In 2010, there were only six members, which number decreased to five in 2011. The Northeast CRP is barely larger,
with seven members in 2010 and six the following year. The largest panel is the South Central group, with 17 members listed in its first report, but only 10 in 2011. As will be discussed below, the recruitment and retention of CRP participants have been a formidable challenge and a point of emphasis for the panels and the CRP Subcommittee. According to one interviewee whose role is to support the efforts of the CRPs, the struggle to staff the panels is a crucial roadblock to the state being able to expand the number of panels to the eight they originally envisioned.

Not only have the panels been interested in bolstering the number of participants, but they also expressed a need to broaden geographic representation amongst their ranks. Indeed, an important concern conveyed by both CRP participants and members of the CRP Subcommittee with whom I met during my visit to the state was the need to attain participation from individuals within each county of the panel’s area. They felt this was particularly necessary given the nature of county-level child protection in the state. Without this representation, participants believed that certain counties would naturally receive more of the panel’s attention, leaving some out from the gaze of the citizens’ groups. Table 7-1 shows participation by county for each CRP in the most recent year, 2011. The paucity in county coverage is clearly shown; only a relatively few counties have representative participants on the panels.
Table 7-1. Pennsylvania Citizen Review Panel Membership by County in 2011

<table>
<thead>
<tr>
<th>Northwest CRP</th>
<th>South Central CRP</th>
<th>Northeast CRP</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>Members</td>
<td>County</td>
</tr>
<tr>
<td>Cameron</td>
<td></td>
<td>Adams</td>
</tr>
<tr>
<td>Clarion</td>
<td></td>
<td>Bedford</td>
</tr>
<tr>
<td>Crawford</td>
<td></td>
<td>Cumberland</td>
</tr>
<tr>
<td>Elk</td>
<td>1</td>
<td>Dauphin</td>
</tr>
<tr>
<td>Erie</td>
<td></td>
<td>Franklin</td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>Fulton</td>
</tr>
<tr>
<td>McKean</td>
<td>1</td>
<td>Huntington</td>
</tr>
<tr>
<td>Mercer</td>
<td></td>
<td>Juniata</td>
</tr>
<tr>
<td>Potter</td>
<td></td>
<td>Lancaster</td>
</tr>
<tr>
<td>Venango</td>
<td>2</td>
<td>Lebanon</td>
</tr>
<tr>
<td>Warren</td>
<td>1</td>
<td>Mifflin</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Perry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>York</td>
</tr>
</tbody>
</table>

Source: Counts based on information provided by the Pennsylvania Child Welfare Resource Center.

**Panel Composition.** Unlike the other case states in this study which had at some point formally specified the size of their citizens’ panels, Pennsylvania had not established any such guideline. During the course of my research in the state, the closest thing to a size requirement that I discovered was a general aspiration that the panels include at least one participant from each county in the CRP region, as previously mentioned. Outside of that, the state legislative act which authorized the panels merely mimicked the CAPTA language in calling for participants to be representative of their communities, with some bringing expertise in various aspects of child welfare. One additional point of emphasis meant to shape the make-up of the panel was the CRP Subcommittee’s stated commitment to avoid using existing groups to staff the panels. “Instead, recruitment efforts would extend well beyond the usual stakeholders traditionally gathered at state and county child welfare decision-making tables with an
emphasis on persons who truly could serve in a volunteer capacity and with a ‘citizen’ perspective” (Pennsylvania Department of Public Welfare 2011, 75).

Those connected with the CRP process in Pennsylvania saw the primary benefit of this type of citizen involvement as having outside eyes, or an outside voice, which “can help keep the system honest.” But as discussed in the other cases, it is questionable whether most of the participants are truly outsiders. That they are external to the government agency is generally true, but if one’s conception of “the system” is broadened to include the many community partner agencies that have a stake in the child welfare arena, clearly the vast majority of participants would be considered insiders. The idealized view of gaining widespread participation of people with little connection to the child protection system is tempered by the reality that such a high percentage of participants on the CRPs, whether in Kentucky, Utah, or Pennsylvania, tend to be professionally linked to child welfare. As an aside, I note here that only two of the people I interviewed in Pennsylvania were in professions not clearly tied to child welfare.

A number of particular challenges to recruiting and retaining panel participants were noted by the interviewees. Some of these issues have contributed to the overrepresentation of child welfare professionals on the panels. First, generalized recruiting approaches such as issuing press releases have tended to be less fruitful than desired. Because of this, more focus has been placed on targeted recruiting. Early on, the CRP Subcommittee asked county children and youth administrators to nominate people to the panels. Interestingly, several interviewees observed that the more targeted approaches, particularly personal nominations or invitations, were most effective; those personally nominated to participate tended to stick longer than those who simply
responded to broad-based press releases. While this may have positive implications in terms of panel member buy-in, the nomination process also tends to produce highly professionalized and field-relevant groups, because children and youth administrators turn first to those within their personal professional networks. Furthermore, as Pennsylvania’s CRPs take on more of the responsibility to recruit their own members, they increasingly rely on word-of-mouth approaches, which not unlike Kentucky and Utah, has also tended to draw participants with connections to the broader child welfare system.

Second, as described by several interviewees, the formal process for joining the panels seemed to them to be quite onerous. The application materials call for detailed personal information and the names of several character references, all part of a thorough background check conducted by a contracted third party. Interviewees from the CRP Subcommittee, who had helped in the strategic planning and organization of the panels, spoke of this process as being part of standard procedure; volunteers in almost any capacity are typically screened, and it makes sense to do so for a group that would have access to very sensitive and confidential information. In contrast, however, the CRP participants I interviewed generally felt that the application process was too daunting. As one CRP member noted, “It is worse than applying for graduate school! It involves fingerprints, Childline clearance, police clearance, and all those references. It is very grueling.” While an element of precaution is certainly wise, many feared that an overly burdensome application and vetting process may deter some potentially beneficial participants from joining the CRPs.
Third, the meeting schedules followed by the CRPs were also noted as a challenge to garnering participation, with weekday participation especially difficult for most people to accommodate into a busy schedule. Attendance and participation requires a rather high degree of flexibility or else sacrifice atypical of what most people can handle. As one CRP chair said regarding the panel-staffing challenge: “The person either has to be self-employed, be retired, or work for a very flexible employer [in order] to have the time to go to the panel meetings.” Exacerbating this in Pennsylvania is the fact that meetings are scheduled in longer blocks of time. For example, the South Central CRP, which convenes every other month, schedules the meetings for four to five hours during the last half of a midweek workday. The Northwest CRP, due to weather challenges, meets monthly from April through October, but then does not meet through the winter, except once by phone. Their meetings usually last between two and three hours, also during the workweek. The Northeast CRP, for the first year-and-a-half, met on Saturdays, every other month. Sensing this arrangement made attendance and participation less appealing for many recruits, the decision was made recently to switch to Tuesday afternoons, for a three hour block. For many, the long hours were too much of a time commitment.

Finally, the most lamentable impediment to both recruiting and retention of participants was the highly delayed response by the state to the recommendations made by the CRPs in their annual reports. As is discussed in more detail later in the case, it took over a year for OCYF to formally respond to the first CRP report from 2010. Indeed, at the time I conducted the interviews, the CRPs were still waiting, even though they had already issued their second annual report.14 This over-delayed response placed the CRPs in a state of limbo, unsure of where they stood in the eyes of OCYF and DPW administrators.

14 The formal responses came in May 2012, several weeks after I conducted my interviews in Pennsylvania.
Moreover, it made it impossible for participants to see “the fruits of their labors,” or “rewards for their efforts.” As expressed by one interviewee: “People want to be involved, but they also want to know that their time is well-spent.”

**State Support of the QICs.** If the most distinguishing aspect of state support for the citizen review process of child protective services in Utah was the hands-on, active participation by top-level administrators, then the opposite would be true for Pennsylvania, which has maintained to this point a very hands-off relationship with its CRPs. The guarded distance should not, however, be confused as disinterest. It is grounded, as previously discussed, in a strongly-expressed desire to maintain panel independence and autonomy, free from what might be construed as OCYF influence in shaping the goals and work of the panels.

Similar to Kentucky, the CRPs in Pennsylvania are coordinated by an external third party, separate from the Department of Public Welfare or the Office of Children, Youth and Families. Using money from the CAPTA funds, this work has been contracted to the Pennsylvania Child Welfare Resource Center (CWRC), an affiliated sub-unit of the University of Pittsburgh. While the CWRC has offices throughout the state, its central location is just a few minutes outside of the capital, near Harrisburg. As a contract entity, it provides a wide array of support services for the state and OCYF. While this chiefly entails the provision of training for social workers, the CWRC is also frequently the go-to entity when OCYF requires a coordinating agent for federal mandates like CAPTA.

---

15 Until very recently, this was known as the Child Welfare Training Program, or CWTP. This is how interviewees referred to it. However, I have altered the name and acronym in the text to fit the current moniker.
As the coordinating unit for the CRPs, the Child Welfare Resource Center also oversees an allocation of CAPTA-funds budgeted specifically to support the citizen panels. Aside from paying part of the salary of the assigned coordinator, the CRP budget also includes funds for such things as recruitment and training materials, printing reports and other documents, conducting volunteer clearance and background checks, providing travel reimbursements to accommodate meeting attendance, and registration and related expenses for attending the National CRP conference. In Pennsylvania, OCYF has had an assigned liaison to help assist the CRPs as part of a support team along with the contracted coordinator. However, the hands-off approach noted above has relegated the OCYF liaison to attending CRP meetings on an invitation-only basis. The initial liaison, with whom I spoke, only attended a couple of the early meetings when participants were being oriented to the CRPs, a fact verified in reviewing panel meeting minutes. “After that,” the former liaison said, “I didn’t want them to feel uncomfortable with OCYF [in the room]. The coordinator from CWRC was there [to help].”

Because the liaison was distant from the actual review process, the role soon evolved into fielding inquiries and requests sent from the panels, usually via the coordinator. In essence, the coordinator plays a dual role, melding what in Kentucky were separate coordination and liaison functions. The coordinator assists the panels in their review efforts, working to obtain and disseminate information between the citizens’ groups and the panel, and in general providing any other type of support required for the CRPs to function. This includes assisting with agenda creation and dissemination, and most recently, in setting up and using online group-coordination software. This makes
the position of coordinator particularly important in Pennsylvania, as it has largely become the key linkage between OCYF and the CRPs.

**Participation Structures.** As described above, the state passed enabling legislation towards the end of 2006 which established the CRPs. Between 2007 and 2009, a CRP Subcommittee, part of the larger state CAPTA workgroup, took efforts to organize and structure the participation process for the CRPs, which finally began meeting in 2010. Among the many efforts undertaken was an attempt to establish a memorandum of understanding, similar to the one described for Kentucky\(^{16}\), which would help clarify the roles and expectations of both CRP participants, as well child welfare administrators. However, according to the current CRP coordinator, the original memorandum of understanding was never effective, the major downfall being the county-administered child protection structure of the state. To be meaningful, any memorandum of understanding regarding the work of the CRPs would eventually require the support and agreement of each affected county children and youth agency administrator. Because of the many differences between the counties in each CRP region, this sort of widespread agreement has not yet been reached. Despite the difficulties, efforts are ongoing to try to establish a workable policy and procedure manual to help guide the panel process in the state.

Since their inception in 2010, the Pennsylvania CRPs have operated on a calendar year basis. Under the original agreement, the panels agreed to have a draft of their annual reports and recommendations to OCYF by December 31\(^{st}\) of each year, with a final submission due by the end of January. The state would then have six months, as per the

\(^{16}\) The CRP coordinator for Kentucky, a national expert on the panels, was invited to come and meet with the Pennsylvania CRP Subcommittee in 2008 to help them work through many issues in getting established.
CAPTA requirements, to issue a formal written response to the CRPs. However, the state failed to issue a response to the first sets of CRP reports until more than 15 months had passed. This raised many concerns among panel participants, not least of which was a sincere questioning of whether the state would ever meaningfully engage their recommendations or whether their efforts were to remain unacknowledged and ultimately unfruitful. As detailed further below, formal steps were taken to rectify the delayed OCYF response. The changes required an alteration to the report submission schedule. Going forward, each CRP must get a draft of its annual report and recommendations to OCYF by November 1st, with the state’s response coming no later than May 1st.

Panel Leadership. Similar to both Kentucky and Utah, each of Pennsylvania’s CRPs is headed by a chair. One of the panel members is elected from among his or her peers to serve in that position for a period of time. Just as in the other case states, the role of the chair is to provide general panel leadership in such areas as building group cohesion, organizing meeting agendas, and ensuring the effective flow of the meetings. The chair also works closely with the CRP coordinator to see that panel information and resource needs are met and that concerns are passed along to OCYF. All three chairs are sitting members of the CRP Subcommittee, so they have a voice in that group’s continued efforts to support the work of the panels.

Panel Meetings. The schedule for the panel meetings in Pennsylvania was previously described above. The South Central and Northeast CRPs meet every other month, which exceeds the frequency called for in the CAPTA legislation (i.e. quarterly), but is less frequent than the monthly schedule followed by most similar panels in Kentucky and Utah. The Northwest panel has adapted its meeting schedule to avoid
precarious travel conditions known in the region during the winter, convening monthly from April through October, then once by phone during the off months. The longer meetings noted above appeared to be a tradeoff for meeting less frequently.

Panel meetings follow an agenda, which is composed and sent out by the chairs prior to each gathering. Meeting minutes, including assigned individual tasks, are also kept. In Utah, this function was performed by a staff support person directly from a state or regional child protection agency. In Pennsylvania however, no agency support personnel are provided to take meeting minutes. This task falls to panel secretary, another elected position on the CRP. Despite these measures of formality, the meetings were largely noted by interviewees as typically being informal in tone and process. Aside from formal votes on important decisions, the meetings were described as being facilitative of open and comfortable discussion among participants.

**Instructive Insights from the CRP Process in Pennsylvania**

**Setting the Panel Agenda: Narrowing Down the Universe.** Panels face a two-fold challenge in setting the direction and focus of their efforts. First is the challenge of generating topics that are suitable (i.e. meaningful and feasible) for review by such a panel. The size and magnitude of the child protection system makes this difficult; the universe of potential topics is very large and narrowing it down is no small task. This is further exacerbated in Pennsylvania due to the complexity inherent in the county-administered structure, where the CRPs have not one, but multiple systems to try to comprehend. Second, even after a set of potential topics have been generated by the CRP, there is the challenge of getting broad agreement on one or more of them to drive the group’s focus. The latter challenge is a function of internal group dynamics, and
while it is not the emphasis of this specific research, it is nevertheless important to acknowledge here.

The immediate question before us, however, lies with the first challenge. How do CRPs begin to narrow down the list of potential topics to decide where and how to spend their review efforts? Throughout the course of the interviews in Pennsylvania, there appeared to be essentially three key mechanisms used by the CRPs to narrow their focus for the reviews they performed. Each of these, to some degree, was mentioned by interviewees in the other case states as well. However, they are expounded upon here in greater depth because of the unique way in which they seemed to highlight the Pennsylvania experience. As discussed below, they include: 1) familiarity with government-administered child protection based on direct or indirect professional connections and experiences; 2) the attention-setting effect of the media; and 3) efforts to become educated about systemic policies and practices by engaging agency insiders.

**Familiarity with Government-Administered Child Protection.** The broader child welfare umbrella covers a vast expanse of topical areas with direct and indirect connection to government-administered child protection. The fact that so many CRP participants have previous or concurrent professional child welfare backgrounds – some even as former employees of the state or county government child protection agencies – means that they also have at least a cursory understanding of issues facing those systems. This is not true for all participants, but it is safe to say that it is true for most of them.

Because of this high degree of professional connectivity, there is typically no shortage of ideas brought to the CRP table for review. As described by one CRP chair: “Coming up with topics is not hard. . . . Most [participants] are tied into the system and
can come up with ideas based on their experiences.” The subsequent challenge, as mentioned above, is to then agree upon topics for panel review. Even a narrowed list can still feel scattered. One CRP Subcommittee member whom I interviewed observed: “In the beginning, they [the CRPs] were all over the place, with so many different viewpoints and a lot of personal experience. There was some initial struggle to agree on topics.” At some point, the process becomes one of prioritizing individual and group preferences, and may hinge on perceptions of issue saliency and the potential for influencing desirable changes.

While those with high connectivity to child welfare can positively facilitate the selection of topics, the scenario also has qualities of a double-edged sword, giving rise to a different set of challenges. Sometimes a person who draws on his or her experiences in order to suggest areas of focus for panel review may have such passion for a particular topic that it becomes a “pet issue” or “soap box” from which they rarely step down. If these issues are based largely on negative perceptions, it may start to feel that the person simply has an “axe to grind” with the child protection system. This of course has the strong potential to negatively impact the tone of interaction that develops between the CRPs and the state and county agencies.

There are additional ramifications to this sort of unrelenting fixation on specific themes. Depending on the personalities involved, having a pet issue may alter an individual’s expectations in such a way as to increase frustration when their concerns do not receive the emphasis or attention they feel is needed. Unmet expectations, then, can become an impediment to participant retention. Indeed, evidence in Pennsylvania suggested that this was the case. As noted by the CRP coordinator: “Exit interviews
suggest that an overwhelming reason for leaving [the panels] was that their personal issues weren’t being addressed.” Further, as suggested by a panel member: “Some have dropped out because they had personal agendas and the group was going in a different direction. It didn’t match their expectations, so they left. This is not a process by which to air one’s personal grievances.”

Not only can personal agendas of this sort affect an individual’s sense of frustration by heightening the impact of unmet expectations, they can also greatly hinder the group’s internal dynamics. This point was clearly articulated by three separate members of the same panel. Each noted that there was one member of their panel who was particularly difficult to deal with, because the person “seems to have a bone to pick” through this process. With regards to the tone of interaction on the panel, one respondent said: “Most have bonded, except one woman . . . is particularly tough. We are trying to educate her and bring her back into line. She pursues her agenda in an abrasive way. It takes a lot of professionalism to deal with her.” This description implied that the issue itself may be of lesser import than the way in which it is pursued by the individual. It is no wonder then, that among the knowledge, skills, and abilities noted as being most important to this type of citizen participation process were listed such things as a willingness to “look at the bigger picture,” “set aside pet issues,” “shed preconceived notions about child protective services and service recipients,” and “openly consider other viewpoints.”

The Attention-Setting Effects of Media. By and large, most people are appalled by accounts of abuse against children, considering the young to be among society’s most vulnerable citizens. As described in Chapter Three, the highly-charged and emotional
nature of child abuse makes it a field that is in many ways susceptible to reactive policymaking (Gainsborough 2010). Much of this is attributable to public outcries for changes in child protection policy and practice which stem from particularly heinous accounts that play out in the public eye through media portrayals.

With his arrest in November 2011, much of the nation’s attention was gripped by accusations of widespread and prolonged child sexual abuse by former Penn State University assistant football coach, Jerry Sandusky. The fallout over the allegations and subsequent litigation included the dismissal of head coach Joe Paterno, one of the most celebrated coaches in college football history, and head of Penn State football for nearly a half-century. Most of the young men who later came forward had been abused while participating in Mr. Sandusky’s non-profit charity aimed at helping underprivileged youth. Some of the more sordid and graphic accounts were events witnesses claimed to have seen in Penn State University football facilities, including in the locker and shower areas. Independent investigations subsequently determined that athletic and university officials were aware of the alleged behaviors. The shocking negligence in pursuing the allegations and informing authorities raised significant attention to the need to train and retrain people on abuse reporting requirements.

The high-profile story naturally caught the attention of the CRPs, some of which shifted their attention to the state’s mandatory reporting laws. For some panel participants, it was an unwanted distraction, which “overshadowed” their conversations and “sidetracked” them from intended focus. Where some went begrudgingly to the topic of mandatory reporting, others went willingly. Even though news of Sandusky’s arrest broke as the South Central CRP was drafting its 2011 report, the group felt compelled to
quickly draft recommendations regarding changes the state could implement to emerge from the situation with a stronger and better child protection system. In some ways, the case was used to strengthen the position of previous panel recommendations that had not yet received response, including the funding and development of an improved central data system to track reports of abuse, and the creation of an Ombudsman position to examine public grievances leveled against child protective service agencies. Moreover, drawing inspiration from one of the story’s more prominent sound bites, they also recommended efforts to increase public awareness of mandatory reporting laws as well as educating people how and when to make reports when abuse is suspected. The sound bite in question was Joe Paterno’s somber reflection regarding the abuse case: “It is one of the greatest sorrows of my life. With the benefit of hindsight, I wish I had done more” (quoted in Pennsylvania Department of Public Welfare 2011, 114).

“You Can Only Describe the Part You’ve Touched”: Learning about the System. At its core, the ideal of the CRP process is that people who are external to an organization will question those on the inside about why things are done a certain way or why certain outcomes are occurring, in hopes that: 1) a meaningful discussion will ensue; and 2) the exchange will lead to systemic improvements. Systemic review is a daunting task; there is a difference between having peripheral familiarity with an agency and actually understanding its nuances, language, and standard operating procedures. Though many CRP participants have a general awareness of child welfare issues and concerns, they may not have in-depth knowledge of specific agency practices, the rationale for why things are done a certain way, or the constraints inherent in complex public
bureaucracies. The challenge is heightened with the multiplicity of systems among Pennsylvania’s counties, to say nothing of the novelty of the CRP experience in the state.

Regarding the challenge of complexity, one interviewee noted: “People who work in the system don’t even understand all of the pieces. You can only address what you know. It’s the old elephant thing. You can only describe the part you’ve touched.”¹⁷ To that end, the CRPs in Pennsylvania have attempted to increase their grasp of the child protection system in a number of ways. Among other things, this has included requesting agency data and information related to various topics, scheduling site visits to OCYF or county children and youth offices to see how they operate, conducting surveys of caseworkers to get employee perspectives of systemic concerns, and inviting administrators or other agency representatives to the CRP meetings as guest speakers. For example, the South Central panel has frequently invited agency officials to make informative presentations at its meetings (Pennsylvania Department of Public Welfare 2011). Each of these panel learning efforts requires the willingness of the agency to engage and interact. They also assume that the participation structures in place facilitate opportunities to do so. In Pennsylvania the willingness to help the CRPs appeared to be sincere, yet some structures made interactions difficult, as described below.

Panel Autonomy: Too Much of a Good Thing? As described earlier in this case, the CRP Subcommittee charged with helping to establish the citizen review panels in Pennsylvania made the conscientious decision that OCYF should remain hands-off so as not to impede the independence or autonomy of the panels. As one Subcommittee

---

¹⁷ The “elephant thing” refers to the commonly told story of the blind men who were each asked to describe an elephant after touching just a single part of its body. To the man who touched the tail, an elephant was like a cord. To the man who touched the trunk, the elephant was like a hose. The legs were like pillars, and so on. Each man was right, but only in part. None had the full picture.
member put it during our interview: “We wanted to be really careful not to meddle too much. . . . The Subcommittee feels very strongly that this [process] needs to be citizen driven.” The logic of maintaining distance was summarized by one panel member, who observed: “If they [OCYF] were always in the room, it may stifle conversation.” This refers, of course, to the conversation within the panel, yet appears to ignore the fact that the broader goal is for the panel to ultimately engage in a conversation with the state agency.

This paradigm of autonomy by separation has resulted in minimal direct interaction between the state agency and the CRPs since the latter were formed. According to one interviewee, a representative of OCYF: “We don’t see each other all the time. . . . We’re somewhat removed in order that they [the CRPs] can maintain autonomy. Interactions are left to [the coordinator]. We don’t want them to feel like we’re checking in all the time.” Even the support liaison from OCYF had only attended a couple of the initial meetings as the panels were being formed. Since that time, agency presence has been on an invite-only basis, much different from Kentucky where a standing agency liaison attends each meeting, and Utah, where agency representatives, including administrators, are active participants.

**The Desire for More Direct Contact.** In Pennsylvania, the principal connections between the state and the CRPs have been mediatory in nature, either through the CRP Subcommittee, or through the support of the contracted external coordinator. While these structures have evolved with the underlying goal of maintaining panel autonomy, it became clear that for some, the perceived disconnect between OCYF
and the CRPs was too stark. Indeed, many expressed a desire for more direct and engaging contact with the agency.

The lack of sustained interaction between OCYF and the CRPs has had some interesting implications in terms of the relationship that has emerged between the two groups. One panel member, noting an inability to ascertain any real connection between the CRP and OCYF, spoke of the interaction-gap in normative terms: “We need a consistent conversation with OCYF.” Others shared similar aspirations. “I would like to see it be more of a collaboration, and not let the CRPs sit out there floundering,” said one. Still another wanted “to see more state direction towards topic issues. It is just too big of a system to turn the CRPs loose.”

For some, the lack of state interaction indicated that the CRPs were a low priority of the state. One panel member lamented that, “There have been very few contacts with state people. We’ve requested more contact, but they’re pretty busy.” When asked whether the state valued the CRPs, another interviewee said that he would have no way of telling because “there is not enough interaction with the state to know.” The separation made it hard to determine how their efforts were being viewed. Ultimately, “People just want to know that they’ve been heard – in person, not at a distance.”

A Period of Deafening Silence: Waiting for the State to Respond. One of the biggest reasons the CRPs expressed desire to increase connections with OCYF was the fact that their first report, issued in January 2011, had not received a response from the state in over 15 months. In fact, when the CRPs issued their second annual report for work done in 2011, they then had two reports supposedly under consideration, but with little indication that a response was forthcoming. This delay had tremendous
implications for the panels’ efforts and left many wondering whether or not they were taken seriously by the state at all. These sentiments were clearly seen in the responses to a number of interview questions. Furthermore, the state’s largest panel – the South Central CRP – made it a point to air its members’ strong concerns with the lack of response in its 2011 annual report. In their stinging critique, they reminded the state that:

The panel is made up of volunteers who donate their time to help improve the child welfare system that is providing much needed services to Pennsylvania’s youth and families. Many panel members work full time and their employers provide them with the support to maintain their membership within the panel. Many panel members use vacation time to attend meetings, trainings, and other various functions. It is the feeling of the panel members that the lack of response devalues not only the commitment of the panel members but those who support each member in making the panel a priority” (Pennsylvania Department of Public Welfare 2011, 112).

Further, they questioned the motive of the state in creating the panels, writing:

In our previous report, we had noted that the establishment of Citizen Review Panels in 2010 enabled Pennsylvania to be CAPTA compliant and, therefore eligible for Children’s Justice Act Funding in 2011. Now that the funding application has been submitted and approved, the panel is questioning whether the establishment of the panels was simply to access funding or whether it was to improve child welfare services. Moreover, the silence that we have received to the 2010 report has us questioning if the state feels it is more important to draft a politically correct response and/or crafting responses which minimize the issues raised; rather than addressing the issues in the report to improve services (Pennsylvania Department of Public Welfare 2011, 112).

One of the more striking effects of the prolonged absence of the state response was the impact this had on participants’ expectations regarding the potential for the CRP process to impact child protective services. Many participants adjusted their expectations specifically with regard to speed; people thought things would happen a lot sooner.

Some of this they attributed to stereotypes of large bureaucracies or the newness of the
In addition, the long delay in hearing back from the state was the most commonly cited source of frustration of people’s involvement in the CRPs, even more than the struggles to recruit and retain people. In fact, they frequently noted the lack of response as a key impediment to the panels’ staffing troubles because they did not have anything substantive to show for their efforts. Further, interviewees were at a general loss for how to assess whether or not the CRPs were valued by the state. The simply had no way to gauge, and without proof, they were left guessing. The same was true when people were asked whether they felt this system gave them a voice in shaping agency decision. This response by a panel member captured the pessimistic sentiment: “When I first started, I would have said yes [it gives us a voice]. Now it is questionable. Actually, the entire panel feels this way; we don’t feel like we have a voice.” Table 7-2 provides a sampling of interview responses revealing the impact that the state’s apparent procrastination had on interviewee perceptions of the CRP process.
Table 7-2. Interviewee Perceptions of the State’s Delayed Response

<table>
<thead>
<tr>
<th>Expectations</th>
<th>Frustration</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>“I thought it would be faster. With my business background, I’m used to doing things at the speed of the internet.”</td>
<td>“The lack of response; not taking us seriously. [It is] like a slap in the face. They need to take us seriously.”</td>
<td>“Probably too early to tell. [There are] no responses yet.”</td>
</tr>
<tr>
<td>“The jury is still out. There have been significant delays on the state’s response. The panel doesn’t know what is going to happen, but they do want to see the fruits of their labor.”</td>
<td>“Not having any response. This makes it hard to retain and recruit people. We can’t say that the state takes us seriously. It makes us wonder if they are just doing this because they had to in order to keep funding.”</td>
<td>“I think they do, but I have no evidence that they value [the CRPs]. We will see when they make changes. I would like to see some conversation on change coming from our work.”</td>
</tr>
<tr>
<td>“I didn’t expect there not to be a response. I expected to have our recommendations go in and then we’d hear back. It hasn’t happened yet.”</td>
<td>“Bureaucracy. I kind of know because I’ve been involved [as the liaison] trying to get responses to their recommendations.”</td>
<td>“I can’t answer that; I don’t know. We’re still waiting for responses.”</td>
</tr>
<tr>
<td>Maybe had expectations that things would move more quickly. It’s a very tedious organization and process.</td>
<td>“The lack of response. [They are] so slow to get back to us. We would welcome a snail’s pace.”</td>
<td>“I think they do, but they are just absolutely overwhelmed. But hey, it only took two, and not three, years to respond.” [clearly spoken in jest]</td>
</tr>
<tr>
<td>“When we first got together, we were all gung-ho. We thought we would see something in writing [to know] we were being heard. We still haven’t gotten anything in writing yet. This . . . deflated our sails a lot.”</td>
<td>“The lack of response by the state for the first set of recommendations. The panels deserve better than that. The state has tried to massage that as best they can. . . . People refer to the state as a ‘black hole.’ Once something goes in, it never comes back.”</td>
<td>“I don’t know if administrators have buy-in. I don’t know the value they put on panels….Their report will be vital to this.”</td>
</tr>
</tbody>
</table>

1Have your expectations regarding the potential impact of the citizen review panel changed over time? If so, how?
2What has been the most frustrating aspect of your involvement with the citizen review panel?
3Does the [state] agency value the work of the citizen review panel?

The All-Important All-Panel Meeting. Given the deafening silence of the state’s non-response to the inaugural CRP reports, it was decided that the panel needed to sit together with OCYF officials and discuss what issues were causing the delay. In January 2012, the first all-panel meeting was held, with a special invitation for OCYF to attend and discuss the State’s intentions regarding the first and second sets of CRP reports. Because the meeting was held on a national holiday – Martin Luther King, Jr. Day – it was somewhat sparsely attended. Even so, each panel was represented by
several members, including each chair. Most importantly, an official from OCYF was on hand to take questions and plan concurrently with the panels how to move forward.

Two very important and interrelated outcomes resulted from this meeting. First, it provided sincere face-time with a key representative of OCYF – a way to start a dialogue which to that point had been seriously lacking due to the State’s push for panel autonomy. The meeting was so beneficial, that a decision was made to hold similar all-panel meetings twice each year. Second, OCYF directly acknowledged that it had made mistakes in handling the CRPs’ first set of annual reports, and openly discussed with the panel members how they might rectify the situation. The solution going forward was that OCYF would include the CRP reports, together with their own responses to the recommendations, in the Department of Public Welfare’s Annual Child Abuse Report, which by state law must be published no later than May 1\textsuperscript{st} of each year. To agree would require that panels submit their reports earlier than before, with drafts to OCYF by November 1\textsuperscript{st}, and final reports no later than December 1\textsuperscript{st}. Amongst those with whom I spoke, there was widespread optimism for this arrangement; nearly all felt that it was mutually beneficial. This gave OCYF a concrete deadline for responding, but also widened the potential audience for the CRPs, given the broad distribution of the child abuse report. It was widely anticipated that such exposure could strengthen the standing of the panels and assist with recruiting and retention efforts.

**Beyond Acknowledgement: Moving Towards Impact.** The principal concern among panel members at the time of the interviews was simply getting a response from the state to their previous reports and recommendations – i.e. some acknowledgement of the CRPs’ efforts and initial evidence that this was not an exercise in futility.
Acknowledgement, however important, is only an early step in the direction of empowerment. Ultimately, participants wanted “something to show” for their work. The need to move to impact was poignantly summarized by one panel participant, who said that after first being acknowledged by the state, empowering success requires “seeing recommendations lead to tangible outcomes as a result of our efforts.”

As was the case in Utah, the linking of perceived success in the CRP process with clearly identifiable outcomes was overwhelming. In Pennsylvania, this was likely heightened due to the frustrations associated with the state’s delayed response. Even as participants shifted their expectations for a timely response downward, they appeared to compensate by shifting their expectations (or at least hopes) for a favorable and impactful response upwards. On the heels of the all-panel meeting, and with knowledge that the state’s response was forthcoming in a regularly published annual child abuse report, the concern over timeliness of response took a backseat to the perceived quality of the response. According to one panel member: “A timely response only goes so far. Actually using our recommendations will allow us to feel useful. It allows us to see our fruits [of our labor].” Even though the primary interviews were conducted prior to the state issuing its first response, informal follow-ups with several participants suggested that most panel members were at least content to have a response in hand. However, the jury is still out as to what tangible changes, if any, will ultimately result, and whether this will meet with participants’ heightened expectations for impact.

**Conclusion**

The citizen review process for child protective services is relatively new in Pennsylvania. As the last state to become compliant with the CAPTA legislation in that
regard, Pennsylvania’s CRPs have only been functioning since 2010, even after the enabling state legislation was passed over three years prior. The delay in implementation appears to have stemmed as much from a desire to effectively organize the groups as from challenges of fitting the scope and activities of the CRPs to the state’s unique county-administered child protection system, in which the state-level agency largely takes a supervisory role. Having a separately administered agency in each of the state’s 67 counties adds much complexity to the review process.

There are growing pains in most new processes, and this has been true of the CRP experience in Pennsylvania as well. The conscious decision to promote and maintain panel autonomy has led the Office of Children, Youth and Families to take a very hands-off, invitation-only approach to interacting with the CRPs. Nearly all interactions have been accomplished through mediating entities, including the state’s CRP Subcommittee and the externally-contracted CRP coordinator. While some on the panels have appreciated the autonomy to pursue reviews without undue influence by OCYF, many others expressed concerns that too much distancing had resulted in some panels floundering in their efforts. In any case, too much separation is hardly conducive to the type of back-and-forth dialogue that many envisioned for this process. Those associated with the CRPs spoke promisingly of recent efforts to reconnect the two entities, brought about over struggles to elicit timely state response to the panels’ recommendations. Going forward, the focus has clearly shifted to the potential for those recommendations to be implemented and to effect positive systemic change.
SECTION III

DRAWING OUT THE THEORY

The three chapters comprising the previous section examined the structure and organization of child protective services, the motives and methods for complying with the federal mandate to establish and engage citizen review panels, and specific insights derived from the research activities conducted in Kentucky, Utah, and Pennsylvania. Each case provided a stand-alone account and analysis of the experience in developing and working with organized citizen-participant groups. The focus now turns to an examination of shared and contrasting elements across the three cases. The cross-case analysis in Chapter Eight discusses a framework and an improved theoretical understanding of public empowerment when citizen participation is mandated by political officials and mediated by public administrators. Finally, Chapter Nine provides some concluding observations regarding the study and its implications for both theory and practice.
CHAPTER EIGHT

EMERGENT THEMES AND TESTABLE PROPOSITIONS

The study now turns to an examination across the three cases, and what the emergent themes indicate about the process of moving towards a stronger citizen voice in shaping agency decisions. Through this analysis, a series of testable propositions regarding the potential for government-organized citizen participation to empower the public in influencing administrative decisions was derived. Table 8-1 summarizes the propositions which emerged from this research. The remainder of this chapter examines the development and implications of the propositions as they were manifest in the current study.

Table 8-1. Summary of Theoretical Propositions from the Research

<table>
<thead>
<tr>
<th>Broad Theoretical Assertions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>In a context of government-organized public participation, for citizens to be effective in influencing agency direction and decisions, both citizens and administrators must reconceptualize what is understood by empowerment, putting aside control-based views, and focusing rather on cooperative engagement.</td>
</tr>
<tr>
<td>The transition from a control-based paradigm to a cooperative-based paradigm of empowerment rests largely on the tone of interaction that is established and maintained between citizen-participants and agency administrators.</td>
</tr>
<tr>
<td>Two critical factors emerge as shapers of the tone of interaction between citizen-participants and agency administrators: 1) that citizen-participants maintain realistic expectations for the review process in light of agency constraints; and 2) that administrators demonstrate a sincere level of buy-in to the participation process.</td>
</tr>
</tbody>
</table>
Table 8-1 (cont'd)

Testable Propositions:

The gap between bureaucratic reality and participant expectations can become a major source of disappointment and frustration, for both the citizens and administrators involved.

1. A strong negative mismatch between citizen expectations and agency response will lead both citizen-participants and agency administrators to become dissatisfied with the participation process.
2. Participant retention suffers as a result of unmet expectations. The more flexible participants’ expectations are for impact, the more likely they will be to continue involvement.
3. With experience, the citizen-participants’ capacity to engage agency administrators increases. The greater the capacity to understand the agency – its language, culture, and politics – the better positioned citizens will be to engage in dialogue and shape agency decisions.
4. The more heavily invested that participants are in a particular issue or favored solution, the greater their dissatisfaction will be if that issue is not addressed in terms they deem adequate.

The degree of citizen-administrator interconnectedness impacts citizens’ feelings of influence and empowerment in the participation process.

5. The more diffuse the administrative audience – i.e. the greater the number of decision-makers to consider – the less influence citizen-participants will have on agency direction and decisions.
6. Citizen participants will be dissatisfied if they perceive the agency to be too controlling of the participation process. Similarly, they will become increasingly dissatisfied if they are too disconnected from the agency. A balance must be struck between panel autonomy and agency control.
7. As the communication between citizens and administrators becomes more fluid – i.e. the shorter the gap between recommendation and response – the likelihood that citizens will feel that they have an effective voice through the participation process also will increase.
8. The more sustained the relationship between the citizen-participants and the agency, and in particular the more direct and frequent the interactions with higher-level agency administrators, the more likely a sense of empowerment will result from the participation.

With legitimate processes in place, the path to empowered outcomes runs through strong citizen-administrator relationships.

9. Citizen-participants desire outcomes that are indicative of the efficacy and value of their efforts. However, process- and relationship-based expectations must be satisfied before a focus on outcomes is plausible.
10. When citizen-agency interactions become more rule-bound, the state agency can more easily control the processes and outcomes of citizen participation. The less formal the interactions between the agency and the participating citizens, the greater the opportunity for establishing genuine relationships and for citizens to feel empowered.
Rethinking the “Power” in Empowerment

First, a comparison of the three cases in this study reveals that public empowerment in the context of government-organized citizen participation requires a reconceptualization of power, moving from traditional control-based approaches towards those rooted in cooperation. As discussed in Chapter Two, power has been perceived in various ways. In one traditional view, power is the ability of an individual or group to control the actions of other entities because of the unequal bases upon which each stands in the relationship. In terms reminiscent of Dahl’s description (1957), A’s power exists in the ability to coerce B to comply with A’s intentions. However, there are other power configurations which are not control-based, but start instead from a premise of cooperation (Follett 1940). For example, rather than A constraining B to accomplish what A seeks, what if A can have B desire what A wants? Or, what if A and B discover jointly that they actually want the same thing, and that by working cooperatively they can leverage their strengths to improve outcomes? Cooperative power does not necessarily consider the empowerment of one party to come at the expense of another party; it can be mutually beneficial and synergistic.

There are two specific challenges in applying a control-based view of power to government-organized citizen participation in general and the citizen review process in particular. First, there is a stark mismatch in power bases between the state agencies and the citizen review panels (CRPs). Though established by federal mandate, the CRPs are clearly not designed nor endowed with power to match or supersede the legal-rational authority of the state agency. Second, there is a general tendency for each party to view
itself in the power-position with respect to the other. Or put another way, there is often
disagreement about who is party A (the actor) and who is party B (reactor) in the
relationship. The state perceives itself in the power-position primarily because it is
tasked with creating and supporting the citizen panels. The CRPs, alternatively, see
themselves in the power-position because they are federally mandated, and because the
state is required to respond to the panels’ recommendations. This divergence in role
agreement can be a substantial source of frustration to both parties.

As described in the Child Abuse Prevention and Treatment Act (CAPTA), states
are mandated to respond in writing within six months to the recommendations given by
the CRPs. The citizen panels cannot, however, dictate what that response will be; the
mandate is to reply, not necessarily comply. If the CRPs enter the participation process
assuming that they can force the state agency to adopt their specific recommendations,
unmet expectations will almost certainly cause initial optimism to give way to frustration.
Indeed, several outcomes are reasonable to imagine. For example, if the panels present
themselves in a combative or controlling way, the state may choose to minimize the
support it provides for the review process. This would dramatically weaken the already-
tentative power base of the CRPs. Alternatively, rather than subverting the process itself,
the state agency may assert control over the outcomes by simply choosing to give
superficial consideration to the panels’ recommendations – a sort of “thanks-but-no-
thanks” response to the panels’ efforts. Either way, the tone of interaction between the
CRPs and agency will take on distrustful tones, and the participants become frustrated or
disillusioned in both the processes and outcomes of citizen review. Ultimately, for CRPs
to be effective in influencing agency direction and decisions, they must put aside a
control-based view of power, and concentrate on strengthening relationships and establishing shared foundations of cooperative engagement.

**Setting the Tone of interaction.** It is vital to understand what factors influence the tone of interaction which emerges between the state agency and the citizen panels. The interviewees in each of the three states were asked to describe factors that they considered important in setting the tone of the relationship between the CRPs and the state child protection agency. Interestingly, this line of questioning revealed general concurrence across the cases on two significant factors. For the child protection agency administrators, the most important factor was the ability of citizen-participants to understand the tremendous constraints placed on the agency, and to be realistic in both recommendations and expectations. In contrast, for the citizen-participants themselves, the most common factor noted as being vital to setting the tone of the relationship was the perceived level of administrative buy-in and agency support for the citizen review process. Each of these factors is considered in-depth below.

**Understanding Bureaucratic Realities**

According to agency administrators, a significant factor in shaping the tone of the citizen-administrator relationship is that the participating public maintains realistic expectations for the review process and its potential outcomes. Fundamentally this requires an understanding of the constraints under which agency administrators operate, and in light of these, to provide realistic recommendations for agency improvement. Certainly this is not to suggest that bureaucratic realities should not be scrutinized and challenged by the panels. In fact, that is perhaps the chief benefit of the review process as noted by interviewees – that citizens would facilitate an outside perspective and
challenge conventional thinking by asking not only “how” things are done, but also “why.” Nevertheless, voices from both sides underscored the need to be cognizant of constraints.

Although many citizen-participants have acquired expertise in fields related to child welfare, this certainly does not mean that they have a concomitant understanding regarding bureaucratic and political structures. Working with a large public bureaucracy, infused as it is with the politics of child welfare, is often markedly slower and much less flexible than what many citizen-participants initially expect. The resultant gap between bureaucratic reality and participant expectations can become a major source of disappointment, for both the citizens and administrators involved. Such disappointment can in turn lead to frustration when the participant possesses especially strong feelings or a sense of clarity about what they think should be done by an agency, but does not see as clearly the nuanced feasibility of what can be done. A strong negative mismatch between citizen expectations and agency response will lead both citizen-participants and agency administrators to become dissatisfied with the participation process. Depending on how each party deals with these deep concerns, the frustration can quickly turn to friction between the agency and the citizen group. By tacitly acknowledging agency constraints, panels can realistically adjust in advance their expectations and recommendations in ways that will maintain a positive tone in the relationship. This is most successfully accomplished in ongoing discussions between the panels and the agency, and not in the segmented recommendation-and-response interaction. Should the panel discover after a year’s worth of efforts that its recommendations are “nice” but unrealistic or unfeasible, one can easily recognize how such an after-the-fact revelation could negatively impact participants’ views of the review process.
The Balance between Passion and Patience. It is by definition a narrow segment of the public that volunteers to serve on the citizen review panels. As described in the three cases, the vast majority of citizen participants are from career backgrounds that were highly interrelated to child welfare, either as former employees of the state agency, or from professions with a high degree of overlap in child protection. While the source of personal interest in participation varied, one underlying characteristic was identifiable across the wide range of participants, namely an expressed, impassioned desire to improve the lives of children and families in their state. However, the challenge described by so many interviewees was to find a way to balance that strong human passion with the patience required to engage such a large and complex government agency. For the most part, this balance necessitated an adjustment in expectations, including a need for the citizen-participants to be more “realistic” in their recommendations, and a willingness to adapt to slower, more incremental speeds of change and reform.

In proffering recommendations to the child protection agency, citizen-participants must be cognizant of bureaucratic and political constraints under which the agency operates. As one panel member acknowledged, those recommendations which appeared to be “pie-in-the-sky” were most often neglected, not because they were undesirable, but rather because they were unfeasible. The cogent reality of administrative constraints was further described by an administrator, who said, “There is not generally a lot of wiggle room for the [agency]. So many of our guidelines and operating procedures are dictated by federal and state mandates.” Perhaps the most formidable of constraints was the ever-present budgetary concern – the lack of money to implement new programs or initiate
new technologies. The frustration level on both sides increased because the apparent inability to even consider the recommendations made the process seem like a waste of time and effort.

Expectations regarding the speed of change also became a contentious point for many panel members, particularly where the benefits of the change seemed so readily apparent to them based on their review efforts. As one interviewee noted, there is a certain level of tenacity needed to be effective in trying to achieve fundamental change in large bureaucratic organizations: “The wheels of state government turn very slowly.” The citizens’ tenacity can be substantially bolstered by a strong affinity for the work being pursued – in other words, by the passion that they have to try to help.

The balancing effort between passion and patience often leads to an alteration of participants expectations. Some interviewees described the panels shifting from short-term thinking to longer-term goals, seeing the groups’ efforts as part of a big-picture process. In this view, successful citizen participation was not only contingent on clear and substantive policy or administrative changes, but also in knowing that citizens were “part of a bigger conversation.” For most, recognizable change was not immediate and drastic, but rather incremental and cumulative.

For those participants who were not content to simply be part of the conversation, remaining with the panels was much less likely. Consistent with previous assertions in the literature (see for example Hirschman 2002), the higher the expectations for immediate impact, the more likely participants were to be discontent with the experience, unless individual expectations were mediated by other factors. Those who chose to stay with the panels were generally “used to the slow speed of the process. They have either
lowered their expectations [for immediate impact] or were just more aware [of the constraints].” *In short, participant retention suffers as a result of unmet expectations. The more flexible participants’ expectations are for impact, the more likely they will be to continue involvement.*

**The Mystique (and Power) of Complexity.** In the formal relationship between the agency and the citizen review panels, there are two key sources of power which the former maintains over the latter. First, the agency has statutory and legal authority from the state, which includes not only the mandate to provide child protective services, but also an allocation of public resources to do so. Second, and perhaps less obvious, is the power that comes from the mystique of large-scale bureaucracy. Cloaked in organizational complexity, the prospect for agency outsiders to comprehend and provide informed critique of the government agency can be daunting for many participants. I witnessed this firsthand in Kentucky, when after one panel meeting, a more recent addition conceded to the panel coordinator that she could no longer participate, in large measure because she found the review process to be very complex and demanding. The initially steep learning curve, particularly for those with less direct ties to the system, creates a challenge for the recruitment and retention of panel members.

While a working knowledge of child welfare was important to successful panel participation, equally or more important was the participants’ *willingness* to apply themselves in learning about the complexities of the child protection system. This is no small task, as learning ranges from the agency-specific dialect and “alphabet soup” of government acronyms, to the intricacies of demands flowing up and down through the intergovernmental system, and horizontally between intersectoral partners. To achieve
this sort of systemic understanding requires something of prolonged experience with and exposure to the agency. In other words, it requires time before some of the complexity dissipates (hence the need for patience). Importantly, it also requires that the agency be willing to facilitate this learning by sharing pertinent information and building participant capacity. *With experience, the citizen-participants’ capacity to engage agency administrators increases. The greater the capacity to understand the agency – its language, culture, and politics – the better positioned citizens will be to engage in dialogue and shape agency decisions.*

**People with an Axe to Grind.** As daunting as it can be to cut through the complexities of a government bureaucracy and learn “the system,” for many participants, the greater challenge was to retreat from those assumptions that have formed deeply entrenched views and opinions of the child protection agency. At times, these pre-conceived notions caused people to become unbendingly focused on particular issues they found most disconcerting about the agency. If handled with tact, having a “soapbox” or a “pet issue” did not necessarily create an adversarial tone of interaction between the panels and the agency. For instance, one panel participant, herself a former child protection worker for the state, spoke repeatedly about the need to reduce the number of forms that employees were required to complete, saying, “Paperwork doesn’t protect children; it protects the state.”\(^\text{18}\) Her relentless yet sincere desire to rescue caseworkers’ time so they could focus on working with families and children was not perceived by others as combative or meddlesome. Rather it was widely accepted as an important and feasible topic to pursue.

\(^{18}\) This was not the only person, or panel for that matter, to focus on bureaucratic paperwork. The notion that there was “too much paperwork and not enough social work” was relatively common across each of the cases.
Another example of this was a panel member who spoke forcefully about the need to hold the state accountable for its stewardship of children in protective custody. Such reasoning became clear as the interviewee shared a personal story that happened some four decades earlier involving a young person who was beaten to death by other youth at a state-run group facility at which he was employed. While not a witness to the circumstances, the interviewee felt strongly that the supervisor could have stopped the killing, but had instead done nothing. In his mind, nobody was ever held to account for that boy’s death. With such a poignant experience emblazoned in his memory, it is not surprising that he would be incessant on questioning certain state practices. While these strong feelings could have taken a negative direction in interactions with the state, in this particular case, the panel’s collective focus was able to channel this individual’s feelings largely away from creating a negative tone.

There were times, however, when an individual’s approach did damage the tone of interaction. For example, it can be very beneficial to have the perspective of former recipients of child welfare services on the panel, as they have a unique view from being on the receiving side of the system. However, if an individual brings a retaliatory mentality based on perceived negative experiences with the state (e.g. having their own child removed from the home, or having received poor foster care reviews), the result can be dramatic. When the rhetoric moves from persistently raising a “pet issue” to seemingly having a “bone to pick” or an “axe to grind” with the agency, this was viewed widely across all cases as being damaging not only to the citizen-agency relationship, but also the cohesion between the individuals on the citizen panel. The difference seemed to
be in the nature of the issue, how it had been internalized by the participant, and most importantly, the approach the individual took in voicing concerns.

It should be no surprise that individuals with exceptionally strong personal agendas were highly likely to exit the participation process, particularly because their expectations were so pointed at singular concerns. In Pennsylvania, the CRP coordinator described how exit interviews had strongly suggested that “an overwhelming reason for leaving the panels was that [the participant’s] personal issues were not being addressed.” Another CRP participant in that same state provided corroborating evidence: “Some have dropped out because they had personal agendas and the group was going in a different direction. It didn’t match their expectations, so they left. This is not a place to air one’s personal grievances.” The more heavily invested that participants are in a particular issue or favored solution, the greater their dissatisfaction will be if that issue is not addressed in terms they deem adequate. This dissatisfaction can lead to distrust between citizens and administrators, negatively impact intragroup cohesion by crowding out other voices on the panel, and/or lead to early exit from the panel.

**Securing Administrative Buy-In and Support**

We have already discussed the need to reconceptualize power from a control paradigm to one of cooperation, as the public’s greatest ability to shape agency administrators’ decisions will come in working with, not against, the agency. One very important step in this regard is securing willing support from the agency. Obtaining administrative buy-in to the citizen review process is vital in setting a positive tone to the relationship between citizens and the agency, and to achieving success in shaping administrative decisions, by bringing the parties closer in proximity and understanding.
The degree of citizen-administrator interconnectedness impacts citizens’ feeling of influence and empowerment in the participation process.

A common theme identified by interviewees was the challenge of establishing a meaningful and productive relationship in light of what seems like a constantly changing set of administrative priorities, and a revolving door of agency leadership changes. As discussed in Chapter Three, the dynamic nature of child welfare, with its pendulum-like swings, can cause rapid shifts in administrative focus. These frequent changes in leaders and issues evoke a sense that participants are in a game of red-light, green-light, making it difficult to gain momentum in their work and build sustainable relationships with high-level agency decision-makers. The desire for more face-to-face interactions, described below, is met with the reality of time constraints and competing agency priorities. Despite these difficulties, some panels have been quite successful at establishing positive and productive relationships with top agency officials.

**Structuring for Success.** One important consideration in helping citizen-participants identify and build relationships with administrators is to structure jurisdictional coverage in ways that allow the panels to clearly identify the appropriate administrative audience. This includes minimizing the number of administrators which panels must take into consideration when crafting their recommendations. In both Kentucky and Utah, the regional citizen panels match with the corresponding regional offices of the state’s child protection services, while the state-wide panels are paired directly with the central state office. This certainly allows the citizen groups in these two states to more clearly identify agency leaders with which to engage.
In Pennsylvania, however, the issue is made more difficult because child protection services are county-administered while the state’s role is one of supervision, as described in Chapter Seven. Each of the three citizen review panels in Pennsylvania covers about a dozen counties, but these groupings do not correspond to a meaningful regional administrative jurisdiction of the state child protective service. Because each county administers its own system of child protection, the citizen review panels at present have between 11 and 13 agency heads to consider, rather than a single agency director. According to the panel participants with whom I spoke, being stretched across so many administrative boundaries made it difficult to secure administrator support for and buy-in to the process. The panels reported struggling to know where to target their efforts and with whom to start the intended dialogue regarding systemic improvements – hard enough to do with one administrator, let alone a dozen. Perhaps most troubling, many interviewees doubted whether county administrators even knew the panels existed; because after all, it was solely the state’s decision to establish the panels in compliance with the CAPTA legislation.

Effective government-organized and mandated citizen participation is facilitated by the ability of participants to clearly identify relevant administrative actors. This means that it is useful to keep the number of administrative decision-makers in the relationship relatively small. *The more diffuse the administrative audience – i.e. the greater the number of decision-makers to consider – the less influence citizen-participants will have on agency direction and decisions.* Due to its distinct state-supervised, county-administered child protection system, the recommendation for
Pennsylvania would be to have panels focus on state-level issues, or to limit the panels to smaller groupings of counties.

**Reducing the Distance between Citizens and Administrators.** Being able to clearly identify the relevant agency decision-maker is a vital first step towards securing administrative buy-in and support for the citizen review process. However, the next vital step is to move towards the establishment of an effective relationship between the citizens and the administrators, particularly those at higher levels of agency influence. Among other things, this can be accomplished by reducing the distance between the parties, both proximally and qualitatively, which lends itself to convergence towards shared goals. The more meaningful and direct interaction sustained, the greater the chance of administrators supporting the panels’ efforts to shape agency direction. A comparison of the three case states is instructive in this regard, as each represents varying degrees of separation between the citizen panels and the administrative decision-makers.

At one end, in Pennsylvania, there was a sense of deep separation between the state agency and the citizen review panels, though as described in Chapter Seven, this distance should not be confused with disinterest. Two factors contributed to the apparent divide. First, the state, interpreted the spirit of the CAPTA legislation as having truly citizen-led panels. To accomplish this, Pennsylvania structured citizen-agency relationships with a strong tilt towards panel autonomy. Explicit efforts were taken to reduce agency contact with the panels lest the contact be interpreted as meddling in the groups’ work. Second, the unique county-administered structure for child protective services made the state’s role in engaging the panels less direct by its very nature, as the mandated recommendation-and-response dialogue was intended ultimately to be between
the panels and the county agency administrators. While the state did assign a liaison initially, his presence at the panel meetings was essentially kept to an invitation-only basis. Indeed, the liaison attended just a couple of meetings initially, in an effort to help orient the panels. Following that, the only sustained support personnel to attend regularly was the contracted, external coordinator. As vital as the coordinator’s role was to the panels’ efforts, this arrangement meant that there was very little direct and sustained interaction with the state administrative decision-makers.

In Kentucky, the citizen review panels have historically had more continuous contact with representatives of the state and regional child protection agencies, though this contact has tended to be less direct with top administrators. Like Pennsylvania, Kentucky’s citizen panels have an externally-contracted coordinator who attends each meeting and provides important logistical support for the groups. Furthermore, each panel also has a designated liaison from the state or regional agency that regularly attends meetings and provides procedural support including addressing questions that arise during the meetings, or obtaining agency information requested by the panel. As the title suggests, the liaison is the one who links the agency with the panels. However, as described in Chapter Five, the liaisons are not high-level agency administrators, and do not have agency-wide decision-making power. Regional and state administrators have attended panel meetings, but this has been infrequent and ad hoc. It is important to note that recent developments, such as the quarterly meeting between the panel chairs and higher-level agency administrators, have put panels in more direct contact with top agency officials. The impacts of these meetings on panel-agency relationships have been
positive. Even so, the bulk of sustained interaction between the agency and the panels is mediated through the liaison and the externally-contracted coordinator.

Finally, in Utah, the quality improvement committees (the term for citizen review panels in that state) and the state child protection agency are highly interconnected. Agency involvement in the review process is direct and largely sustained. As described in Chapter Six, the quality improvement committees (QICs) were created as part of the requirements that the state agreed to in facilitating an exit from court-mandated oversight of their child protection system. From their inception, the citizen committees have had agency representatives as sitting members. Support personnel are likewise provided. Furthermore, the QICs are internally-coordinated by the state, in direct contrast with both Kentucky and Pennsylvania’s external coordinators. More importantly, on a number of the local committees, the top region-level administrator actively participates in the monthly meetings. The administrators’ presence is welcomed by the committees and recognized as enhancing the groups’ success. The high-degree of interconnectedness has enabled the QICs to experience greater influence on agency decisions and to sense a substantial empowerment in their participation. Several reasons for this are discussed below.

**Being Connected, but Not Controlled.** Interviewee sentiments regarding the level of agency influence on panel activities brought to mind the image of two classic toys – marionettes and kites. Each relies on the strings attached to them, but for very different reasons. The marionette’s strings are the sole source of its movement, the very locus of its control. The puppet can only move when and how it is directed by the puppeteer. Kites, on the other hand, are responsive to elements apart from the flyer’s
hands, like wind motion for example. The strings prevent the kite from being blown about aimlessly by shifting winds. Furthermore, the kite’s strings provide the important (if not ironic) downward tension needed to maintain the kite’s upward climb into the sky.

In both cases – with marionettes and kites – the connecting strings are vital. Puppets are controlled by their connections. Kites soar through their connections, not in spite of them, but because of them.

There is a precarious balance to be sought between the level of panel autonomy and the degree of agency control of panel activities. The goal may be something like that of the kite – to soar higher through its connectedness. With too much agency control, citizen groups can be manipulated in order to weaken their impact (Arnstein 1969), or co-opted by the government body in order to direct efforts to the ends that the state most desires (Selznick 1949). Panels want to avoid becoming like the marionettes, being lifelessly controlled by the state agency. On the other hand, with too much panel autonomy, the citizen groups may find themselves so detached from the state that they wander without direction, or perhaps worse, that they find themselves starved of vital connections and support needed to perform their duties. Citizen participants will be dissatisfied if they perceive the agency to be too controlling of the participation process. Similarly, they will become increasingly dissatisfied if they are too disconnected from the agency. A balance must be struck between panel autonomy and agency control.

One crucial aspect of panel autonomy is to be found in its agenda-setting capacity, or in other words, the panels’ ability to establish the course of priorities where attention and effort will be spent. Across each of the case states, interviewees emphasized the importance of the panels having a strong measure of self-guidance in choosing what aspects of the child protection system to review. This, of course, is consistent with the
enabling federal legislative intent which mandated the creation of the panels. However, the interviews also identified two related themes explaining the challenge of complete panel autonomy in agenda-setting. First, it is difficult to prioritize and reduce the number of topic choices, with child protection being such a broad and encompassing field. Second, panels inevitably realize that they do not work in a vacuum, and must actively consider their interrelatedness with the agency when selecting areas of focus. Said in another way – panels want to maximize their impact.

Ultimately these two realities lead panels to sense a need (even a desire) for some guidance and direction from the state agency in this regard. Interviewees in Pennsylvania suggested, for example, that more state direction towards topic selection would be helpful, because “it is just too big of a system to turn the CRPs loose.” Others wanted more guidance because of the newness of the process in Pennsylvania, frequently describing their ignorance of the system by asserting, “We don’t know what we don’t know.” Similar sentiments were expressed in Kentucky and Utah as well, although the connections with the child protection agencies in those states were somewhat more developed. Without some agency guidance, panels started to wonder about the value of their efforts, and whether they “were meeting just to meet.”

Varying degrees of agency influence on the agenda of the citizen groups were manifest across the three case states. In Pennsylvania, interviewees noted practically no influence by the state child protection agency in setting the panels’ agenda. This was due in large part to the hands-off approach that the state has taken with the panels since their inception. As discussed in Chapter Seven, Pennsylvania’s citizen panels expressed a desire for more direct contact with the Office of Children, Youth and Families, in hopes
of gaining some direction and to avoid floundering through the process. The first all-panel meeting with the state in early 2012 was so beneficial that the decision was made to meet formally at least twice annually. It was not clear, however, what impact these more frequent meetings would have on setting individual panel agendas.

In Kentucky, recent efforts, like the annual all-panel retreat described in Chapter Five, have increasingly sought to bring panel members and agency administrators in closer contact during the agenda-setting process. Top-level Cabinet administrators are regularly invited to attend and participate, though DCBS representation typically includes just the liaisons and any other employees asked to provide the groups with an update of systemic developments and relevant legislative concerns. While the state agency has no vote on what systemic issues will be the focus of the panels’ yearly review activities, some panels have started to inquire about agency priorities. As described by the CRP coordinator, leading up to the annual panel retreat, “We ask the Cabinet to tell us the things that are really important to them. . . . We try to align [our efforts] with the priorities of the Cabinet.” There may be several reasons for this, not least of which, however, is to avoid what one administrator described as the panels simply going through “an academic exercise.” From this, the panel adds additional topic areas that are generated from the panel members themselves, and they decide as a group what their focus will be.

Finally, in Utah, with administrators participating on the citizen committees, agenda items were much more directly prone to being influenced by the agency. Surprisingly, only one interviewee felt like this arrangement compromised the integrity of the review process, evoking the image of a fox guarding the hen house. Overwhelmingly, the participants were satisfied with the agency presence and guidance.
For example, one interviewee noted that even when the agency expressed some needs to the QIC, “the relationship, as it has evolved, allows such a partnership, so it does not feel like DCFS is overstepping.” Ultimately, concerns over ceding independence were counterbalanced by an increase in group influence on agency decisions.

**Shortening the Feedback Loop.** There is a distinct disjointedness inherent in the recommendation-and-response exchange as prescribed in the CAPTA legislation. As detailed in Chapter Two, at the end each year’s efforts, the panels issue a report of recommendations to the state, which then has six months to provide a formal response to the panels. This timeline lag, however, segments the process somewhat artificially, and renders real-time dialogue nearly impossible. The panels resume the next year’s activities while still awaiting response to the previous year’s recommendations, making it exceptionally difficult for the citizen groups to attain a sense of accomplishment and closure to their efforts. And, as was noted by interviewees in Kentucky, a negative state response can be a drag on the next year’s work.

There is great value to shortening the communications feedback loop and bringing a new level of fluidity to the citizen-agency interactions. In Pennsylvania, the experience of waiting for over 15 months to receive the state’s first response to the panel reports was understandably exasperating for the panel participants. It finally required a face-to-face meeting with representatives from the Office of Children, Youth and Families to modify parameters for a more timely state response moving forward, the agreement ultimately being a fixed six-month guideline. In Kentucky, the feedback loop was shortened through the creation of a memorandum of understanding (described in Chapter Five). There the panels and the state agency work on a three-month recommendation-and-
response timeline. In Utah, the formal protocol stipulates a one-month response timeframe from when the recommendation is issued. Furthermore, Utah’s citizen committees do not issue just one recommendation report annually, but rather submit formal recommendations on an ongoing basis. The annual report compiles and summarizes the accumulation of recommendations issued during the year. With administrators at the table and participating on the citizen committees, the effective response to citizen recommendations is often immediate. By shortening the feedback mechanism and adding fluidity to the process, the citizen-agency interaction moves closer to an engaged dialogue. *As the communication between citizens and administrators becomes more fluid – i.e. the shorter the gap between recommendation and response – the likelihood that citizens will feel that they have an effective voice through the participation process also will increase.*

**From Apathy to Empathy in State Support.** The further the distance between citizens and top administrators, the less likely these key decision-makers are to consider the panels and to engage their recommendations seriously. The closer citizens and administrators start to come, in interaction and purpose – i.e. the more they build relationships – the more likely citizen-participants are to be able to influence agency decisions. The reason that sustained and sincere interaction between the state and panels is important is so that the CRPs can avoid the lamentable position of being both out of sight and out of mind. *The more sustained the relationship between the citizen participants and the agency, and in particular the more direct and frequent the interactions with higher-level agency administrators, the more likely a sense of empowerment will result from the participation.* Furthermore, having the administrators
in the room adds a level of fluidity to the process. More importantly, it becomes difficult to ignore and dismiss the panels’ efforts, particularly because the administrator begins to take a vested interest in the panels’ success. Any successful changes brought by such a relationship come because the two parties move from coercion to cooperation on shared ends. To summarize: administrative absence from the process fosters apathy, contact breeds sympathy, and co-experience secures empathy. It is in the movement towards empathy that empowerment occurs.

Table 8-2 distinguishes between each of the case states on the characteristics described above, which emerged as important themes related to securing administrative buy-in to the citizen review process. The columns have been aligned from left to right according to the citizen panels’ level of connectedness to agency administrators (see the shaded row). Pennsylvania’s CRPs are indirectly connected to the agency through the external coordinator, Kentucky’s CRP-agency connections are mediated through the liaison, and Utah’s QICs are directly connected with administrators serving as active participants on the citizen groups. The implications of this type of connectedness on perceptions of empowerment are discussed in the following section.
Towards an Empowered Public: Finding a Voice through Participation

Reframing the CAPTA Narrative. Chapter Two identified two broad paradigms that have historically driven various calls for public participation in administrative contexts. In one view, perhaps best encapsulated in Emmette Redford’s concept of “democratic morality,” public participation is promoted for its intrinsic importance in fostering civic self-actualization. Growth in civic capacity is not just for the individual, but becomes the basis of a democratic society. The other paradigm is control-oriented, reminiscent of Jeremy Bentham’s “distrustful surveillance,” or Woodrow Wilson’s “wise vigilance.” In this view, public participation is seen as another way to hold administrators to account, a check on bureaucracy’s power. The paradigm under which public participation efforts are organized is important in shaping the tone of interactions that ensue between citizens and administrators.

As was discussed in Chapter Three, the Child Abuse Prevention and Treatment Act as reauthorized in 1996 included the provision that states establish and support citizen review panels in order to maintain eligibility for specified grant funds. The
background of this mandate was shown to carry undertones of public distrust for state child welfare provision, and thus falls under the aforementioned citizen-control paradigm. Indeed, as one insightful interviewee in Kentucky noted, the CAPTA narrative seemingly begins with an adversarial tone, pitting citizens against the child welfare agencies in their aim to discover administrative flaws and agency shortcomings. Subsequent interactions between the citizen panels and the agencies are framed in competitive terms unless a point comes when the narrative can be changed to one of cooperation.

Each state has taken steps it seems, to reframe the narrative of its citizen participation. In Pennsylvania, the first all-panel meeting that brought agency administrators together with the panels to discuss how to move forward after the State’s dismally slow response to the first panel report was a potential pivot point in their relationship. The pursuit of more face-time with administrators is significant, but the verdict on its impact is still out. In Kentucky, the recent decision by one panel to focus its reports on empirical findings, and then to engage with agency administrators to come up with shared recommendations seems to be a step in the direction of reframing citizen-administrator narrative as well. Significantly, this new approach also purported a willingness of the panels to allow efforts to spill over from one reporting period to the next, becoming in essence less beholden to the segmentation of the timelines while searching from more continuity to the process.

In Utah, the narrative of cooperation appeared much earlier, most likely due to the continued agency presence on the citizen committees, as described previously. But it should also be remembered that the motive to establish the citizen committees in Utah was not based on the CAPTA legislation, but rather on the child protection agency’s
desire to exit court mandated oversight as detailed in Chapter Six. As opposed to searching for additional funding, the child protection agency was trying to regain its own autonomy. The Utah story seems to corroborate previous hypotheses in the literature, which suggest that “high instability in the environment will generate a corresponding degree of bureaucratic tolerance to citizen participation” (R. Kweit and Kweit 1980, 659). As one administrator told me, “They [the citizen groups] were sort of forced on us, but now we love them.” Ultimately, for citizen panels to impact agency decisions, a control-narrative must give way to one of cooperation.

**Gauging Panel Success and Value.** Interviewees were asked to define success with regards to the work of the citizen review panels as a way of gauging the effectiveness of citizen participation. Three distinct models for defining panel success emerged from their responses. In one model, panel success was contingent on outcomes, specifically changes in agency policy or practice that they clearly influenced. Another model defined success based less on outcomes, and more on whether or not participants felt that the agency adequately supported the panels in the review process itself. A third model for perceived panel success also was revealed, representing a sort-of hybrid between the outcomes- and process-based models. In this third model, perceived success was based on the quality of the relationships that were developed with the agency representatives during engagement process. Interestingly, outcomes, processes, and relationships also emerged as dominant ways to gauge whether or not the work of the panels was valued by the agency. Figure 8-1 shows the three views of success with representative comments reflecting each view. *With legitimate processes in place, the path to empowered outcomes runs through strong citizen-administrator relationships.* In
the absence of identifiable outcomes, expectations often shift back to an emphasis on relationships or processes.

**Figure 8-1. Three Models for Assessing Participation Success**

![Diagram of models for assessing participation success]

Some interesting patterns emerge when comparing the case states on these perceptions of success. In Utah, for example, members of the quality improvement committees were more precise in identifying specific agency changes that had been directly influenced by their recommendations (see table 6-3 for examples of successful recommendations). Importantly, this translated into a strong propensity to adopt an outcome-based definition of success. It became clear from the interviews that a sense of success raised expectations for future success as well.

In contrast, at the time the interviews were conducted in Pennsylvania, the state still had not issued its first response to the citizen review panels, a period of substantial delay lasting over 15 months. Interestingly, even in the absence of clear results upon which to gauge success, the citizen panels in Pennsylvania focused primarily on outcome-based definitions of success. However, when asked whether or not they were
valued by the state agency, the focus shifted heavily towards processes. They consistently reiterated that their chief desire was that the Office of Children, Youth and Families would simply provide a response to the panels’ reports, if for no other reason than to acknowledge the groups’ efforts. Without that, there was no meaningful way to tell whether or not the panels were valued by the state, or if they were only created so the state could qualify for more federal grants, a suspicion that was vocalized on more than one occasion.

In Kentucky, there was evidence of both outcome- and process-based assessments of success and perceived value. Although some were positive, many interviewees were largely pessimistic when asked whether the panels were valued by the state agency. This low estimation of being valued, it would seem, was the natural result of unmet expectations for outcomes. Furthermore, few interviewees, when asked to identify an agency change influenced by the panels, could do so specifically. Process expectations were largely being met; the panels were being provided excellent support and the state issued responses on time. However, with the agency response in hand, frustrations arose when panel members felt like their efforts were not thoughtfully considered, receiving what amounted in their minds to a general “thanks-but-no-thanks” reaction from child protection administrators. Interestingly, with process expectations being met, but outcome expectations being frustrated, many panel members I spoke with had turned their attention to the quality of the relationships between the citizen participants and the agency administrators. Unable to clearly identify influenced outcomes, expectations for success and the basis for estimating the panels’ sense of being valued by the agency shifted down the continuum as depicted previously in figure 8-1. Citizen-participants
desire outcomes that are indicative of the efficacy and value of their efforts. However, process- and relationship-based expectations must be satisfied before a focus on outcomes is plausible.

Managing Expectations for Successful Participation. There is an expectations equilibrium that is vital to participation. The concept is not necessarily new; for example, Albert Hirschman (2002) noted the important role of expectations in driving participatory behavior. If a person shifts his or her expectations downward in one area, for example, they will compensate some other way, or else lose interest in participating. The experience loses its currency when expectations go unmet. In Kentucky, the repeated perception of lack of positive response to recommendations resulted in a narrative that often heightened the perceived value of processes over outcomes. It was not that outcomes were unimportant, but just that it became difficult to continue with the investment of time and resources unless expectations were adjusted. In Utah, where expectations for positive agency response were more frequently met with identifiable changes resulting from recommendations, the focus on outcomes increased, and this occurred because of the strong process and relationship structures in place. In Pennsylvania, the dominant concern was with the timing of the state agency’s response. For many, a patience tipping-point had been passed, and with each passing week and month, many felt as one panel participant did: “Can’t they just answer us? Does it have to be this hard?” The diminished expectations about the speed of the process were countered with heightened expectations (even demands) that the quality of response would compensate – a “good-things-come-to-those-who-wait” perspective. While such heightening of expectations may put pressure on the state agency, it certainly sets the
panel up for potentially greater disappointment if the state’s response is not “good enough.”

**Meeting in the Middle.** The mandate for public inclusion establishes the basis for a relationship between the government agency and the citizen group. The intent of the mandate seemed to be that the bureaucracy should adapt to an infusion of “democracy” by becoming more attuned to “the people.” However, the truth about government-sponsored citizen involvement is that it does not force the bureaucracy to become more democratic. The operative word in the previous sentence is *force*; when given so much latitude to shape citizen involvement, bureaucracies can choose how open they will be to democratic participation. Citizen groups, on the other hand, routinely try to adapt to the bureaucratic setting in which they find themselves operating. On its face, this appears to flip the logic of the relationship on its head, where “the people” are forced to become more attuned to “the agency.”

Previous research has hypothesized that “the more citizens can appear to conform with the premises of bureaucratic decision-making, the greater the likelihood that they will have an impact [on administrative decisions]” (R. Kweit and Kweit 1980, 656-7). The present study revealed a number of different views and attempts by the citizens groups to strengthen their legitimacy with the state by taking on more bureaucratic-like characteristics. These can be categorized under two broad headings. First, there were efforts to increase the standing of the panels in the eyes of the state, by adopting trappings of formality within the panel itself. For example, all the panels represented in the interviews had a leadership structure in place by which a chair was selected from among the members. Furthermore, a number of the panels had adopted group by-laws to
direct internal dynamics, and nearly all of them used formal rules of procedure to guide panel decision-making, including an agenda and voting mechanisms.

Second, there were numerous attempts to formalize panel-agency relationships, in order to provide greater clarity regarding roles, procedures, and expectations. The most pronounced examples of this were the memoranda of understanding and the information-requesting protocol for the panels in Kentucky. More broadly-speaking, even the format and language used in the panel recommendations and reports reflected the formalities of bureaucratic communication. Interestingly, it was unclear whether the attempts to increase the standing of the panels in the eyes of the state added to the panels’ ability to influence agency decisions. Rather, it appeared that increased formality in the panel-agency relationship actually played into the state’s hands in key ways. When citizen-agency interactions become more rule-bound, the state agency can more easily control the processes and outcomes of citizen participation. The less formal the interactions between the agency and the participating citizens, the greater the opportunity for establishing genuine relationships and for citizens to feel empowered.

**Converging towards Voice.** As described above, building relationships between citizens and administrators is vital to empowering citizens in the context of government-organized citizen participation. The better developed the relationship, the greater chance that citizen panels will be able to influence agency decisions. The development of relationships, however, doesn’t connote just one party moving over into the camp of the other. Rather, it was manifest most strongly as administrators and citizens met somewhere in the middle in terms of adapting to each other, with citizens coming to appreciate certain bureaucratic realities, and administrators buying-in to the citizen
review process, balancing their expertise with a willingness to consider outside points of view.

Having a venue in which to participate does not guarantee that the participant will have a voice in shaping administrative decisions. Voice entails more than speaking; it is being heard. Being able to speak does not ensure that someone is there to listen (an audience or the “right” audience), and it is a far cry still from knowing that the message is heard and received. A vital part of communication is being able to gauge effect (Lasswell 1948). It is no coincidence that the citizen-participants in Utah, who were most clear in their ability to gauge impact on administrative decisions, were similarly adamant that they had an effective voice through the review process. Kentucky’s participants expressed a nuanced and qualified assessment of having a voice, and in the absence of any state response up to that time, Pennsylvania’s participants were hopeful but uncertain. Though they were given a venue to speak, there was no way of knowing whether they were being heard.

Establishing relationships between citizen panels and agency administrators requires both quantity and quality aspects to the interactions. The deeper those interactions go both in terms of exposure and creating shared goals, the stronger will be the ensuing relationship. The result is a concomitant move toward an empowered citizenry.

Interviewees were asked to assess whether they considered the panels to be valued by the state agency. The range of responses shown in figure 8-2, depict a continuum of how participants perceive that the state values the panels’ efforts. At the shallow level were indications that the panels felt they may be perceived as being irrelevant to the state.
As the relationships deepened, perceptions shifted as well, from a sense of being tolerated, to being considered, taken seriously, and finally valued.

**Figure 8-2. Levels of Perceived Value of Citizen-Participants**

**Conclusion**

This chapter examined emergent themes from across the cases to develop a series of testable propositions regarding the potential for government-organized citizen participation to empower the public. There is a need to reconceptualize empowerment in the context of government-organized citizen participation, moving away from a control-based norm to one of cooperation. The tone of interaction acts as a transition mechanism towards cooperative engagement. Two critical factors shaping the tone of interaction emerged from the cases, including: 1) the need for citizen-participants to maintain
realistic expectations for the participation process and outcomes in light of agency constraints; and 2) the importance of administrators demonstrating a high level of buy-in and support of the participation process. The analysis also showed the connection between process-, relationship-, and outcome-based expectations for participation success.

A number of prominent themes were revealed through the systematic comparison of cases. From these, a list of ten testable propositions – important to the study’s goal to develop theory in this area – were derived and explained (see table 8-1). Importantly, the propositions centered on three key assertions. First, the gap between bureaucratic reality and participant expectations can become a source of disappointment and frustration, for both the citizens and administrators involved. Second, the degree of citizen-administrator interconnectedness impacts citizens’ feelings of influence and empowerment in the participation process. Finally, with legitimate processes in place, the path to empowered outcomes runs through strong citizen-administrator relationships.
CHAPTER NINE
CONCLUDING REMARKS AND OBSERVATIONS

This final chapter of the dissertation brings the theoretical propositions from Chapter Eight back to a more general level. The purpose is to articulate and visualize the progression a citizen-participant experiences in moving from being a spectator of governance processes to becoming a partner with administrative agencies. Some concluding remarks are proffered as to the contributions of the research, as well as its limitations. Finally, the chapter provides a brief discussion of future research.

From Spectators to Partners: The Dimensions of Public Empowerment

This chapter begins with a simple assertion, namely that work done on behalf of the public is not the same thing as doing work publicly. Government services carried out by closed-off agencies retain a certain air of privateness, where actors on the inside remain somewhat insulated from people on the outside. As discussed in previous chapters, efforts to increase public knowledge and inclusiveness begin to blur the lines between agency insiders and outsiders. At the very least this type of publicity allows citizens to form judgments and opinions about the agency’s work and performance. At deeper levels, knowledge and inclusiveness become transformative values which can empower the public to assert varying levels of influence on agency administrators. Government mandates for greater citizen participation – with a long history in federal grants – formalize knowledge transmission and patterns of inclusiveness. As such, these types of mandates provide a unique setting in which to understand the processes and prospects of public empowerment.
A second important assertion of this dissertation is that the path to public empowerment in the context of government-mandated citizen participation runs through public administrators. As was discussed at length in the literature review, administrators maintain discretion for shaping both the contours of the public’s participation, as well as the impacts the public ultimately has on agency decisions. The institutional and political position of the administrative agency, imbued with legal-rational authority and backed by public law as an apparatus of the state, gives it primacy in shaping the rules of engagement with citizen-participants. Grant-based mandates may dictate the forms that citizen-participation will take, but typically do little else to guarantee the quality of those interactions. Public empowerment in this context, then, is based less on an administrator’s willingness to cede control to citizen-participants, and more on their willingness to share power with them. The need to reconceptualize the meaning of power in this context was an emergent theme in this research.

Previous literature acknowledges that administrative responsiveness to public participation varies widely in its genuineness or authenticity (King et al. 1998). In other words, there are qualitative differences in the depth of administrator willingness to engage with and consider input from citizen-participants. A surface-level response focuses mainly on the structures of participation. Doing so allows administrators to retain control over the outcomes of mandated citizen participation efforts by structuring processes in ways that would be least intrusive into the agency (Timney 1998; Stewart 2007). The contours of the relationship can be dictated in a unidirectional manner, flowing from administrator to citizen. On the other hand, a core-level response goes deeper, entailing a greater willingness to interact bi-directionally, with more give-and-
take between administrators and citizen-participants. At this level, the focus moves from the structural to the relational aspects of the interaction, with administrators aiming less at controlling processes and more towards shared outcomes with citizen-participants. Table 9-1 contrasts these different responses to mandated public participation.

<table>
<thead>
<tr>
<th>Table 9-1. Levels of Administrative Response to Mandated Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Element of Focus</strong></td>
</tr>
<tr>
<td>Structural</td>
</tr>
<tr>
<td>Administrative Goal</td>
</tr>
<tr>
<td>Direction of Exchange</td>
</tr>
<tr>
<td>Emphasis of Exchange</td>
</tr>
<tr>
<td>Approach to Participation Mandate</td>
</tr>
<tr>
<td>Conception of Power</td>
</tr>
</tbody>
</table>

As described in Chapter Two, knowledge and inclusiveness are foundational elements of public empowerment. Knowledge is acquired through the conveyance and internalization of information, while inclusiveness rests largely on audience identification and involvement. Figure 9-1 shows the interplay between the bases of public empowerment (information and involvement) and the depth of administrative response to mandates for public participation. Each quadrant of the matrix represents a starting point from which to categorize various dimensions of public empowerment.
Figure 9-1. The Dimensions of Public Empowerment

Surface-Level: Open Windows and Open Doors. In the upper-left quadrant, the focus is on providing participants access to organizational information. This is an “open window” response to mandated public participation, in which citizens are given a selective glimpse inside the organization. However, the agency maintains control over processes to the extent that it can structure interactions to largely keep the public on the outside-looking-in. With the agency as sender and the public as recipient, administrators are positioned to maintain control over what, how, and when information is shared. This means that sharing information can be done in ways that meet the administrators’ needs (i.e. compliance with the mandate, or illusion of openness) more than being tailored to the needs of the citizen-participants. Though insufficient in and of itself, access to information is a vital first step towards empowering the public in its participation impact.

If the upper-left quadrant represents an open window response to mandated public participation, then the upper-right quadrant, with its focus on involvement, represents an “open door” approach. At this level, administrators respond to demands for more citizen
involvement by providing the public with a *venue* in which to observe the dealings of the agency, without necessarily providing a mechanism by which to influence agency decisions. Similar to information access, administrators retain control over the interaction, which in a superficial approach, remains largely unidirectional. Having a venue for participation is likewise necessary but insufficient to empowering the public.

**Core-Level: Open Ears and Open Minds.** In the lower portion of figure 9-1, the focus shifts from structural to relational elements of citizen-administrator interactions. In the lower-left quadrant, concerns over information move from an emphasis on how much information to share (i.e. quantity) to how useful and usable that information is (i.e. quality). The utility of shared information is in part a function of the characteristics of the message and the medium through which it is sent, but also requires the ability to ascertain its effects (Lasswell 1948). To elicit the sort of feedback that allows effect to be gauged, the information exchange must become more bi-directional in nature, with a goal to foster *dialogue* between the parties. In this “open ears” approach, each party works to hear what the other is trying to say. Getting to dialogue does not mean that agreement on means and ends has been achieved, but rather that mutual understanding has started to emerge (N. Roberts 2002). Further convergence towards shared objectives requires moving beyond traditional notions of administrative responsiveness towards meaningful collaboration (Vigoda 2002).

Finally, in the lower-right quadrant, administrative response to involvement becomes more genuinely focused on the quality of interaction that occurs. Where venue is concerned with people having a chance to participate, *engagement* is interested in the quality of involvement that results from bringing citizens and administrators together.
This “open minds” approach includes a deep consideration of the potential impact of the public’s participation, which is strongly shaped by the perceived purpose of the involvement, the intent and role of the public, and willingness of each party to work together towards common purposes.

While the matrix in figure 9-1 may be useful for depicting various dimensions of public empowerment, information and involvement are not entirely separable phenomena. Rather, they overlap and often occur in tandem. The deeper one moves towards genuine administrative responsiveness – from focusing on structures to focusing on relationships – the more dialogue and engagement begin to converge. As these dimensions coalesce, the public effectively moves beyond merely glimpsing agency activity towards having an actual voice in shaping administrative decisions (Meijer 2012). As was described in Chapter Eight, the movement towards citizen voice is also the movement towards citizen empowerment.

In figure 9-2, the two inwardangled continua represent varying degrees of information and involvement. As administrators display more willingness to work with the outside public, and vice versa, information and involvement shift increasingly down and in, drawing citizen-participants closer to an authentic voice in governance. At the wide end, the public is effectively treated as a spectator, given general but measured access to information and participation venues. The narrowing represents a tradeoff in the size of the intended audience with the quality of discourse attained. Although evidence exists that larger groups can be engaged in effective participation (Lukensmeyer and Brigham 2005), authentic dialogue is more realistic with a narrowed and identifiable public audience (Lippmann 1925; Fox and Miller 1995). In this regard, structure
precedes relations. As the focus moves from structural to relational aspects of the citizen-administrator interaction, the participating public has the potential to shift from spectator status towards becoming a partner in administrative decisions.

Figure 9-2. Moving the Public from Spectator to Engaged Partner

Contributions of the Research

Addressing Gaps in the Literature. Chapters Two and Three noted several important gaps in our understanding of the potential empowering effects of government-mandated participation. Chiefly, these included a need to better understand those factors that shape the tone of interaction between citizen-participants and public administrators, the impacts that the tone of interaction has on administrator willingness to support participation processes, and the role of expectations in realizing public empowerment. Each of these elements was an important part of the theoretical framework and propositions that emerged in Chapter Eight.

An Inside-Look at Citizen-Government Relationships. The study also provided a telling look at citizen-government relationships within the rich context child protective services. The research opened a lens through which to understand the motives
and methods of public empowerment through organized participation. Through these discussions, both citizens and administrators can better discern processes and structures that most effectively leverage the impact that public participation can have on shaping agency direction and decisions.

**Informing Intergovernmental Policy.** As described in Chapter Three, since the 1960s, a staggering proportion of federal grants to state and local governments have contained provisions requiring various forms of public participation. While not all mandated participation mirrors the provisions of the CAPTA legislation’s call to create standing citizen review panels, there is still much that this study can inform about the potential effectiveness of government-organized participation. For example, the study discusses the necessary but insufficient nature of general transparency or openness reforms to bolster public influence on governance decisions. Perhaps most central to the study is the vital need to establish positive working relationships between citizens and administrators, moving from control-based perceptions of power to those rooted in cooperation. The theoretical propositions detailed in Chapter Eight have great potential to add understanding and knowledge to long-standing debates regarding the benefits and tradeoffs of infusing “democracy” in bureaucratic contexts.

**Drawing Attention to an Important Policy Area.** Public administration scholars have noted the importance of the social services field – among which child protection is squarely situated – as providing a ripe context from which to develop and strengthen theories of governance (Lynn et al. 2001). Certainly, social services have provided grounds for other influential works in public administration (for example Lipsky 1980; Maynard-Moody and Musheno 2003). This study adds to that tradition.
Further, it is hoped that this study will draw increased policy attention to the vital work being done by those serving vulnerable populations, including the efforts of citizens to be actively involved in those efforts as well. The passion which these individuals display in their work is inspiring, and their story is important to share.

Providing Recommendations for Improved Effectiveness. Finally, through insights gleaned in the individual cases and the cross-case analysis, this study provides a number of recommendations for both citizen-participants and public administrators for how participation efforts can be more effective. These insights are applicable not only to citizen review panels in child protective services, but also to other settings where the administrators maintain some control over the participation processes involving the public. It is hoped that the end result will be efforts to recognize areas where citizen-government relations can be strengthened, increasing citizen understanding of agency constraints as well as administrator buy-in to public inclusiveness.

Limitations of the Research

There are several limitations to this dissertation research, most of which can be directly tied to time and cost constraints. As detailed previously, cases were selected that could reduce the constraints, while simultaneously maximizing variation and richness of data. Even so, the study is somewhat limited in the number of cases examined (three) as well as the geographical coverage within those states, with a higher percentage of participants coming from urban centers and fewer from outlying rural areas. Where possible, phone interviews with rural-based participants helped to supplement the face-to-face interviews. Time and cost constraints also made it difficult to attend many of the
citizen review panel meetings, which would have allowed more direct observation of the participation process. Such opportunities would have provided an additional point of context and data for triangulating with the primary interview data.

Furthermore, the study examined only one form of government-initiated, mandated citizen participation, and the study’s design is geared to only one point in time. Future studies could expand both the scope of participation efforts examined, and extend the number of time points to enrich theoretical findings. This would be particularly helpful for the Pennsylvania case, as it is quite new and may, with time and experience, reveal changing trajectories in the participation process towards or away from public empowerment.

Finally, the study employs a conception of public empowerment that hinges on citizen-participants’ ability to impact administrative policies and practices. The study is not positioned to make pronouncements of a normative nature – i.e. whether or not the citizen-led changes were or were not desirable in light of the agency’s underlying aims to administer child protective services. Additional research would be needed to assess the quality of the impacts made through citizen involvement.

**Future Research**

There is reason to believe that CAPTA and the CRPs will continue to be an important part of the state child protection landscape. Across the country, many of the panels are entering their second decade of existence, having built a sense of direction and progression over time and with experience. There also appears to be a growing effort and interest for greater interstate CRP connectivity, with information being shared at the
National Citizen Review Panel website and communications facilitated through a national listserv for those interested in the work of the citizen panels. Additionally, there is a National Citizen Review Panel Conference (heading into its twelfth year) which annually brings together CRP volunteers, coordinators, and child protection administrators from across the country to discuss concerns and generate ideas to improve the work of these citizens groups. The importance of this conference cannot be understated, as it provides panel participants an opportunity to glean new strategies and ideas in their efforts to help improve child protection in their respective states. Learning what has worked in other states can have an invigorating effect on citizen-participants. As for the present research, the conference organizers have requested that the findings be presented at the May 2013 gathering in Jackson Hole, Wyoming.

It would be particularly useful in future research to follow the progression of panel development over time in the cases highlighted in this study, but especially in Pennsylvania. Future research in that state should gauge participant perceptions regarding the quality of the state’s responsiveness now that the Office of Children, Youth and Families has issued its first official response to the panels’ recommendations. Future studies should also expand the number of states under comparison.

Additional inquiries might examine the impact of administrative disruption on citizen-agency relationships, particularly during times of leadership transition. A potentially fruitful line of research would include attempts to understand what it takes to establish administrator buy-in to the participation process when the administrator is new, and unfamiliar with the work of the citizen group. This would allow greater insight into
the relationship-building process, especially if one could see it at different stages in the same state over time.

This study was aimed at developing a theoretical foundation for understanding the potential for public empowerment in settings of government-organized citizen participation. The propositions from Chapter Eight are stated so as to be empirically testable, which could include both qualitative and quantitative designs. Future research should expand the number and types of citizen participation contexts by designing studies to test the propositions which emerged from this grounded-theory study.
REFERENCES


Appendix A. Interview Discussion Guide Questions

**Background**

1. **CAN YOU BRIEFLY DESCRIBE YOUR INVOLVEMENT WITH THE CITIZEN REVIEW PANEL?** (Probe on past and current roles, how long, why did they get involved, how they learned about panel)

**Participation Structures**

2. **(For panel chair or coordinator) PLEASE DESCRIBE THE ORGANIZATION OF THE CITIZEN PANEL IN TERMS OF STRUCTURE AND PROCESS.** (Probe on meeting frequency, meeting process, typical attendance, levels of formality – formal agenda, minutes, etc.)

3. **HOW DOES THE PANEL DECIDE WHAT TOPICS/ISSUES TO FOCUS ON? HOW IS THE PANEL AGENDA ESTABLISHED?** (Probe for examples of autonomy or agency control)

4. **HOW ARE PANEL MEMBERS RECRUITED FOR PARTICIPATION? WHAT ARE THE BIGGEST CHALLENGES WITH STAFFING THE PANELS?** (Probe on challenges of recruitment/retention; never-ending training, publicizing the work of the panels, panel representativeness, etc.).

5. **WHAT KNOWLEDGE, SKILLS, AND ABILITIES DO YOU THINK ARE MOST HELPFUL IN ORDER FOR CITIZEN-PARTICIPANTS TO EFFECTIVELY CONTRIBUTE ON THESE PANELS?**

6. **IN WHAT WAYS DOES THE AGENCY OFFER/PROVIDE SUPPORT FOR THE WORK OF THE PANEL?** (Probe about liaison, info specialist, financial support, lunch, recognition, other resources).

7. **PLEASE TELL ME ABOUT WAYS THAT INFORMATION IS SHARED BETWEEN THE AGENCY AND THE PANEL.** (Probe about the process for panel information requests, the timeliness and quality of information, including completeness, usability, technical sophistication).

**Expectations**

8. **WHAT DO YOU SEE AS THE ROLE OF THE CITIZEN PANEL IN RELATION TO THE STATE CHILD PROTECTION AGENCY? WHAT IS THE ROLE OF THE STATE AGENCY IN RELATION TO THE CITIZEN PANEL?** (Probe agency advocate, agency watchdog, etc.)

9. **HAVE YOUR EXPECTATIONS REGARDING THE POTENTIAL IMPACT OF THE CITIZEN PANEL CHANGED OVER TIME? IF SO, HOW?**

10. **WHAT HAS BEEN THE MOST SATISFYING ASPECT OF YOUR INVOLVEMENT WITH THE CITIZEN REVIEW PANEL? WHAT HAS BEEN THE MOST FRUSTRATING ASPECT OF YOUR INVOLVEMENT WITH THE CITIZEN REVIEW PANEL?** (Probe regarding rules, resource constraints, responsiveness)
Tone of Interaction (dialogue; partnership)

11. DESCRIBE THE RELATIONSHIP BETWEEN THE CITIZEN REVIEW PANEL AND THE AGENCY. WHAT FACTORS ARE IMPORTANT IN SETTING THE TONE OF THIS RELATIONSHIP? (Probe adversarial vs. collaborative; partnership; communication; dialogue equality/empathetic listening; changes over time; agency leadership)

12. DESCRIBE THE RELATIONSHIP AMONG MEMBERS OF THE CITIZEN REVIEW PANEL. WHAT FACTORS ARE IMPORTANT IN SETTING THE TONE OF THESE RELATIONSHIPS? (Probe handling differences of opinion; strong personalities; etc.)

13. HAVE PANEL PARTICIPANTS AND AGENCY PERSONNEL BEEN ABLE TO DEVELOP A SENSE OF COMMON STRATEGY AND MUTUAL GOALS? WHY OR WHY NOT? (Probe whether they can articulate what that common goal is?)

14. DOES THE AGENCY VALUE THE WORK OF THE CITIZEN REVIEW PANEL? (Probe for evidence of their answer)

15. WHAT ARE THE BIGGEST CHALLENGES YOU SEE TO ESTABLISHING EFFECTIVE COLLABORATION BETWEEN CITIZENS AND AGENCY OFFICIALS? (Probe on lack of understanding, organizational constraints, bureaucratic constraints, political, legal constraints, lack of resources; personality conflicts, goal conflicts, lack of responsiveness)

Empowered Outcomes

16. FROM YOUR PERSPECTIVE, WHAT ARE THE PRIMARY BENEFITS OF THIS TYPE OF CITIZEN INVOLVEMENT?

17. WHAT DO YOU CONSIDER TO BE AN EFFECTIVE CRP OUTCOME? HOW DO YOU DEFINE “SUCCESS” WITH REGARDS TO THE WORK OF THE CITIZEN PANELS?

18. DO CITIZEN-PARTICIPANTS HAVE A “VOICE” IN SHAPING AGENCY DECISIONS THROUGH THIS PROCESS?

19. ARE AGENCY OFFICIALS RESPONSIVE TO THE REQUESTS/RECOMMENDATIONS OF THE CITIZEN PANELS? (Probe on timeliness of response, types of responses, etc)

20. IN WHAT WAYS DOES PUBLIC PARTICIPATION HAVE AN IMPACT ON CHILD PROTECTION? (Probe for specific examples of panel contributions, agency decisions).
Neal D. Buckwalter  
Curriculum Vitae

CONTACT INFORMATION
School of Public, Nonprofit and Health Administration  
Grand Valley State University
248C DeVos Center  
401 W. Fulton Street  
Grand Rapids, MI 49504
Voice: 616-331-6583  
Fax: 616-331-7120  
Email: buckwaln@gvsu.edu

EDUCATION
2012  Ph.D., Public Affairs  
Indiana University, School of Public and Environmental Affairs (Bloomington, IN)  
Fields: Public Management and Public Finance  
Defense: November 26, 2012  
Chair: Michael McGuire  
Committee: James L. Perry, Sergio Fernandez, David Reingold
2004  Master of Public Administration  
Brigham Young University, Romney Institute of Public Management (Provo, UT)  
Graduated with High Distinction
2002  B.S., Sociology  
Brigham Young University (Provo, UT)  
Graduated Magna Cum Laude

ACADEMIC EMPLOYMENT
Present  Grand Valley State University (Grand Rapids, MI)  
Assistant Professor at the School of Public, Nonprofit and Health Administration
2006-2012  Indiana University (Bloomington, IN)  
Associate Instructor at the School of Public and Environmental Affairs
2005-2009  Indiana University (Bloomington, IN)  
Research Assistant with Dr. Craig Johnson
2003-2004  Brigham Young University (Provo, UT)  
Graduate Research Assistant with Dr. Lennis Knighton

PEER-REVIEWED PUBLICATIONS

WORKS-IN-PROGRESS
Buckwalter, Neal, Nathan Sharp, Jaron Wilde, and David Wood. Are State Tax Amnesty Programs Associated with Increases in Financial Reporting Irregularities? [Currently under review]

Facer, Rex. L., Lori Wadsworth, and Neal Buckwalter. The Role of Mentoring in Public Sector Career Advancement. [Data collected; analysis and draft substantially complete]

Buckwalter, Neal. Municipal Tax Amnesties: Lessons from the States. [Working draft, data being collected]

CONFERENCE PRESENTATIONS


OTHER PRESENTATIONS

Buckwalter, Doyle and Neal Buckwalter. “City Manager or City Administrator?”. Utah League of Cities and Towns Annual Conference, Salt Lake City, Utah, Sept. 11, 2003.
**TEACHING EXPERIENCE**

Fall 2012  **PA 520 Foundations of Public Service** (Grand Valley State University)
Introductory graduate course in public administration.

**PA 270 Public and Non Profit Administration** (Grand Valley State University)
Introductory undergraduate course in public and nonprofit administration.

2007-2012  **SPEA-V161 Urban Problems and Solutions** (Indiana University)
Introductory undergraduate course in state and local policy and administration.

Fall 2006  **SPEA-V361 Financial Management** (Indiana University)
Skills-based course in public accounting and financial management.

**DEPARTMENTAL SERVICE**

Present  SPNHA Internal Dynamics Committee
MPA Program Committee

2010-2011  Ad Hoc Teaching Assessment Committee, School of Public and Environmental Affairs, Indiana University

2009-2010  SPEA Academic Fairness Committee

Spring 2009  Member, Organizing Committee for the SPEA Diversity Panel. *Diversity: More Than You Think!*, held Wednesday, March 25, 2009.

**STUDENT SERVICE**

2008-2009  Advisor for Undergraduate Student Group: Public Administration and Civic Service

**PUBLIC SERVICE**

2010-2012  Elected Member, Board of Directors. Orchard Glen Cooperative, a non-profit housing community with over 350 housing units in Bloomington, IN.

**PROFESSIONAL SERVICE**

Manuscript reviewer:

*Journal of Public Budgeting, Accounting & Financial Management*
*Public Administration Review*
HONORS AND AWARDS
Fall 2010  SPEA Travel Grant ($500) to attend and present at the Southeastern Conference for Public Administration. Wilmington, NC. October 13-16, 2010.
Fall 2010  SPEA Travel Grant ($500) to attend and present at the 22nd Annual National Conference of the Association for Budgeting and Financial Management. Omaha, NE. October 7-9, 2010.
2008  Teaching Award ($300) for Outstanding Associate Instructor, Indiana University, School of Public and Environmental Affairs.
2004  Stewart L. Grow Award, Brigham Young University, Romney Institute of Public Management – “Presented annually to the graduating student…who best exemplifies… integrity, academic excellence, concern for others and devotion to public management”.
2004  Doyle W. Buckwalter Outstanding Internship, Brigham Young University, Romney Institute of Public Management
2004  Arthur Winter Scholarship, Brigham Young University, Marriott School of Management
2003 - 2004  Academic Scholarships, Romney Institute of Public Management

PROFESSIONAL EXPERIENCE
Present  Grand Valley State University, Grand Rapids, MI
Assistant Professor at the School of Public, Nonprofit and Health Administration
2006-2012  Indiana University, Bloomington, IN
Associate Instructor at the School of Public and Environmental Affairs
2004 - 2005  The City of Richland, WA and The City of Kennewick, WA
Post-Graduate Management Intern in City Manager’s Offices

April - August 2003  Municipal Government: Eagle Mountain City, UT
Administrative Intern with Chief Administrative Officer

2001 – 2002  Springville Middle School, Springville, UT
Special Education Resource Technician

PROFESSIONAL ORGANIZATIONS
American Society for Public Administration
International City/County Management Association