



COUNTY OF HUMBOLDT

For the meeting of: 10/19/2021

File #: 21-1451

To: Board of Supervisors

From: DHHS: Social Services

Agenda Section: Departmental

SUBJECT:

Memorandum of Understanding with the Hoopa Valley Tribe Regarding Continued Government-to-Government Collaboration Related to the Safety and Wellbeing of Tribal Children Involved in the Child Welfare System of Care

RECOMMENDATION(S):

That the Board of Supervisors;

1. Approve, and authorize the Chair of the Board and the Humboldt County Department of Health and Human Services Director to execute, the attached memorandum of understanding with the Hoopa Valley Tribe regarding continued government-to-government collaboration related to the safety and wellbeing of Tribal children involved in the child welfare system of care for the period of Feb. 5, 2021 through Feb. 4, 2023;
2. Authorize the Chair of the Board and the Humboldt County Department of Health and Human Services Director, or designees thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with the Hoopa Valley Tribe, after review and approval by County Counsel; and
3. Direct the Clerk of the Board to return one fully executed original copy of the attached memorandum of understanding to the Humboldt County Department of Health and Human Services - Contract Unit for further processing.

SOURCE OF FUNDING:

Social Services Fund (1160)

DISCUSSION:

On Feb. 14, 2018, the Humboldt County Superior Court accepted a stipulated judgment cooperatively negotiated by the California Attorney General (AG), the Humboldt County Sheriff's Office (HCSO) and the Humboldt County Department of Health and Human Services (DHHS). The stipulated judgment marked the conclusion of an investigation by the AG after concerns were raised by local tribes and other community partners regarding inefficiencies and barriers to service in DHHS - Child Welfare Services' Emergency Response function. The requirements set forth in the stipulated judgment reflect collaborative efforts on the part of the AG, HCSO and DHHS to improve outcomes for children and families in the County of Humboldt's child welfare system of care.

The stipulated judgment states that “within nine (9) months of the entry of Judgment, [DHHS - Child Welfare Services] shall make a good-faith effort to negotiate and develop protocols with the eight (8) federally recognized tribes in Humboldt County governing the process for collaboration that will ensure timely, shared decision-making relating to cases involving tribal children. These protocols shall include a mutually acceptable procedure for the resolution of disputes when tribal social workers and [DHHS - Child Welfare Services] are not in agreement regarding case plan decisions.”

In September, 2018, representatives from DHHS - Child Welfare Services and the Hoopa Valley Tribe Child and Family Services (“HVTCFS”), along with tribal consultant, Olin Jones, began meeting to negotiate and develop a protocol that governs the process for collaboration between the two governments when Hoopa Tribal children are reported to DHHS - Child Welfare Services. On Feb. 5, 2019, the Hoopa Valley Tribe and the County of Humboldt entered into a memorandum of understanding which outlines the collaboration process throughout a Hoopa Tribal child’s involvement with the county’s child welfare system of care to ensure shared decision making.

The attached memorandum of understanding will allow for continued government-to-government collaboration regarding the safety and wellbeing of Tribal children involved in the child welfare system of care for the period of Feb. 5, 2021 through Feb. 4, 2023. It should be noted that the attached memorandum of understanding comes to the Board after the start date thereof due to inadvertent delays that occurred during the contract negotiation process. In order to prevent a potential break in the government-to-government collaboration between HVTCFS and DHHS - Child Welfare Services, a Letter of Intent was executed on May 14, 2021.

Accordingly, DHHS recommends that the Board approve, and authorize the Chair of the Board and the DHHS Director to execute, the attached memorandum of understanding with the Hoopa Valley Tribe regarding continued government-to-government collaboration related to the safety and wellbeing of Tribal children involved in the child welfare system of care for the period of Feb. 5, 2021 through Feb. 4, 2023. It is also recommended that the Board authorize the Chair of the Board and the DHHS Director, or designees thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with the Hoopa Valley Tribe, after review and approval by County Counsel, in order to avoid any unnecessary breaks in the government-to-government collaboration between HVTCFS and DHHS - Child Welfare Services.

FINANCIAL IMPACT:

There are no costs associated with the attached memorandum of understanding with the Hoopa Valley Tribe. As a result, approval of the attached memorandum of understanding with the Hoopa Valley Tribe will not impact the Humboldt County General Fund.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors’ Strategic Framework by protecting vulnerable populations, creating opportunities for improved safety and health and providing community-appropriate levels of services.

OTHER AGENCY INVOLVEMENT:

California Attorney General

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached memorandum of understanding with the Hoopa Valley Tribe regarding continued government-to-government collaboration related to the safety and wellbeing of Tribal children involved in the child welfare system of care. However, this alternative is not recommended as it would impact the County of Humboldt's compliance with the stipulated judgment with the AG.

ATTACHMENTS:

1. Memorandum of Understanding between Hoopa Valley Tribe and County of Humboldt, Department of Health and Human Services, Child Welfare Services Division
2. Stipulated Judgment Between the California Attorney General, the Humboldt County Sheriff's Office and the Humboldt County Department of Health and Human Services

PREVIOUS ACTION/REFERRAL:

Board Order No.: I-2

Meeting of: 2/5/2019

File No.: 19-137, 21-1451