

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: May 15, 2018

SUBJECT: Report on PR 22-769, the “Citizen Review Panel Patrick M. Foley Appointment Resolution of 2018”

The Committee of the Whole, to which PR 22-769, the “Citizen Review Panel Patrick M. Foley Appointment Resolution of 2018” was referred, reports favorably thereon, and recommends approval by the Council.

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I. BACKGROUND AND NEED

On February 27, 2018, PR 22-769, the “Citizen Review Panel Patrick M. Foley Appointment Resolution of 2018” was introduced by Chairman Mendelson. PR 22-769 was referred to the Committee of the Whole on March 6, 2018. The purpose of PR 22-769 is to appoint Mr. Foley as a member of the Citizen Review Panel for a three-year term.

Mr. Foley is a Ward 5 resident. Currently, Mr. Foley serves as a part-time advocate with the DC Youth Advocate Programs, Inc. In this role he works with the Department of Youth and Rehabilitation Services (DYRS) to mentor youth and help them transition out of a DYRS facility with the goal of reunifying them with their families. In addition, Mr. Foley is a licensed foster parent with the Child and Family Services Agency. Previously, he served as a Court Appointed Special Advocate and as a member of the Board of Directors for the Transgender Health Empowerment, Inc. Before his retirement in 2016, Mr. Foley was a certified hotel administrator

and worked in the hotel management industry for over 35 years. Furthermore, he used to serve as a member of the Board of Directors of the Maryland Hotel Lodging Association and the Virginia Restaurant, Lodging & Travel Association.

In 2004, the Council approved the Child in Need of Protection Amendment Act (2004 Act).¹ The purpose of the 2004 Act was to reform the District's child protection law. More importantly, the goal of the Council was to create a seamless and effective system for responding to any type of child mistreatment, whether it was child abandonment, abuse, or neglect.² One of the outcomes of the 2004 Act was to codify the establishment of the Citizen Review Panel (Panel). The Panel serves as an independent oversight body for the District's child welfare system and to evaluate the District government agencies involved in child protection as well as services provided by vendors.³

Prior to the 2004 Act, the Panel was created administratively because Congress mandated that states and other jurisdictions establish such Panels by July 1999 pursuant to the Child Abuse Prevention and Treatment Act (CAPTA).⁴ The requirement to establish a Panel was necessary to continue to receive CAPTA funds.⁵ As required by CAPTA, the Panel evaluates the District's child protection standards pursuant to a state plan required by the federal government and pursuant to child protection standards set by federal law.

The Panel consists of 15 members, all of whom must be District residents.⁶ The Mayor is required to appoint eight members of the Panel and must designate the Chairperson. The Council shall appoint seven members to the Panel and is required to designate the Vice Chairperson.⁷ Furthermore, the Panel is required to be broadly representative of the community and must include members that have expertise in the prevention and treatment of child abuse and neglect.⁸ In addition, the appointments to the Panel should have a diversity of professional backgrounds and must be familiar with the child welfare system.⁹

¹ (D.C. Law 15-341; D.C. Official Code § 4-1301.01 *et seq.*).

² Bill 15-389, Child in Need of Protection Amendment Act of 2003, Report of the Committee on Judiciary, 1 (November 17, 2004).

³ *See* D.C. Official Code § 4-1303.51.

⁴ *Supra* note 2 at 55.

⁵ *Id.*

⁶ *See* D.C. Official Code § 4-1303.52.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

Table 1: Membership of the Citizen Review Panel

Resolution #	Position	Appointee	Appointing Authority	Term Expiration
<i>PR 22-769</i>	<i>Member</i>	<i>Patrick M. Foley</i>	<i>Proposed Council Appointee</i>	<i>Three-year term</i>
<i>PR 22-770</i>	<i>Member</i>	<i>Shana N. Bartley</i>	<i>Proposed Council Appointee</i>	<i>Three-year term</i>
<i>PR 22-771</i>	<i>Member</i>	<i>Dr. Sarah Schooler</i>	<i>Proposed Council Appointee</i>	<i>Three-year term</i>
<i>PR 22-815</i>	<i>Member</i>	<i>Elizabeth Corson Mohler</i>	<i>Proposed Council Appointee</i>	<i>Three-year term</i>
R 21-385	Vice-Chair	Emily Smith Goering	Council	February 2, 2019
R 21-387	Member	Marie Cohen	Council	February 2, 2019
	Member	Vacant	Council	
	Panel Chair	Ann Franke	Mayor	September 24, 2018
	Member	Katrina Foster	Mayor	September 24, 2018
	Member	Maura Gaswirth	Mayor	September 24, 2018
	Member	David Harper	Mayor	September 24, 2018
	Member	Megan Conway	Mayor	September 24, 2018
	Member	Claresa Venson	Mayor	September 24, 2018
	Member	Sherrill Taylor	Mayor	September 24, 2018
	Member	Richard Bardach	Mayor	September 24, 2018

Mr. Foley indicated that over the past eight years he has fostered nine placements and became the legal guardian of five children.¹⁰ He provided that he has been active with several committees at the Child and Family Services Agency (CFSA) and that experience supports his appointment to become a member of the Panel.¹¹ Mr. Foley testified at the April 25th roundtable that the District needs to do a better job of preparing youth who are in foster care to become independent. As a member of the Panel he intends to focus his attention on youth who have aged out of the system.¹²

The Committee believes as a licensed foster parent Mr. Foley would bring a unique perspective to the Panel as he already has experience working with children who have been in contact with the CFSA. He can bring his own experiences to help the Panel conduct its oversight responsibilities to ensure that CFSA better serves children who have been subject to abuse or neglect. The Committee also supports Mr. Foley’s goal to support the Panel’s efforts to prepare foster children who have aged out of the system. For these reasons, the Committee recommends adoption of PR 22-769.

II. LEGISLATIVE CHRONOLOGY

February 27, 2018 PR 22-769, the “Citizen Review Panel Patrick M. Foley Appointment Resolution of 2018” is introduced by Chairman Mendelson.

March 6, 2018 PR 22-769 is “read” at a Legislative Meeting and the referral to the Committee of the Whole is official.

¹⁰ Patrick M. Foley, Nominee, Written Responses to the Committee of the Whole’s Pre-Roundtable Questionnaire, Page 2, April 23, 2018. (Attached).

¹¹ *Id.*

¹² *Id.*

March 9, 2018 Notice of Intent to Act on PR 22-769 is published in the *District of Columbia Register*.

April 19, 2018 Notice of a Public Roundtable on PR 22-769 is filed with the Council's Office of the Secretary.

April 25, 2018 The Committee of the Whole holds a public roundtable on PR 22-769.

May 15, 2018 The Committee of the Whole marks-up PR 22-769.

III. POSITION OF THE EXECUTIVE

Mr. Foley is a Council appointee to the Panel. The Executive provided no comment on Mr. Foley's appointment.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on PR 22-769.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public roundtable on PR 22-769 (and 3 other nominations to the Citizen Review Panel) on Wednesday, April 25, 2018. The testimony summarized below is from that roundtable. A copy of the written testimony provided to the Committee is attached to this report.

Patrick M. Foley, Appointee, testified and answered questions from Chairman Mendelson regarding his background and experience as it pertains to the Citizen Review Panel and his interest in serving on the Panel.

The Committee received no testimony or comments in opposition to Mr. Foley's appointment.

VI. IMPACT ON EXISTING LAW

Members of the Citizen Review Panel are appointed pursuant to section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), which establishes the Panel.

VII. FISCAL IMPACT

PR 22-769 will have no fiscal impact on the District of Columbia budget or financial plan. Members of the Citizen Review Panel are not entitled to compensation.

VIII. SECTION-BY-SECTION ANALYSIS

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|------------------|--|
| <u>Section 1</u> | States the short title of PR 22-769. |
| <u>Section 2</u> | Confirms the appointment of Patrick M. Foley as a member of the Citizen Review Panel to serve for a term ending three years after the effective date of this resolution. |
| <u>Section 3</u> | Requires that a copy of the resolution, upon adoption, be transmitted to the appointee, the chairperson of the Panel, and to the Mayor. |
| <u>Section 4</u> | Provides that PR 22-769 shall take effect immediately upon the first date of publication in the District of Columbia Register. |

IX. COMMITTEE ACTION

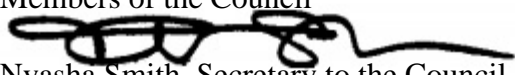
X. ATTACHMENTS

1. PR 22-769 as introduced.
2. Nominee's response to Committee questions.
3. Legal sufficiency determination.
4. Committee Print for PR 22-769.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : March 05, 2018

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, February 27, 2018. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Citizen Review Panel Patrick M. Foley Appointment Resolution of 2018", PR22-0769

INTRODUCED BY: Chairman Mendelson

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel
Budget Director
Legislative Services

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To appoint Mr. Patrick M. Foley to the Citizen Review Panel.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Citizen Review Panel Patrick M. Foley Appointment Resolution of 2018”.

Sec. 2. The Council of the District of Columbia appoints:

Patrick M. Foley
4631 12th Street, N.E.
Washington, DC 20017
(Ward 5)

as a member of the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), to serve for a term ending three years after the effective date of this resolution.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Panel, and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

Patrick M. Foley

4631 12th Street, NE
Washington, D.C. 20017
(202) 222-5399
PatrickFoley@aol.com

Career Summary :

After more than 35 years managing hotels I am now advocating on behalf of DC youths in foster care and in the Juvenile/PINS system.

Advocacy and Non-Profit Experience :

DC Youth Advocate Programs, Inc., Part-time Advocate 2017 – present

- Provide Mentoring and Advocacy functions for teenage youth in the DC Juvenile/PINS system
- Work with assigned youth on a weekly basis to change habits and behaviors that caused them to become incarcerated.
- Work with Department of Youth Rehabilitation Services to help youth transition from detention center to group homes with the goal of reunification with family at completion of sentence.

DC Child & Family Services Agency, Licensed Foster Parent 2010 – present

- Recruited to house teenage boys; Providing a safe home for 9 teens, and permanent Guardianship to three (so far).
- Member, Foster Parent Advisory Committee
- Member, Foster Parent Bill of Rights Workgroup
- Member, DC Courts Youth Education Workgroup
- Member, Prudent & Responsible Parenting Workgroup
- Member, LGBT Outreach Taskforce
- Member, Working Effectively with Teens Focus Group
- Volunteer Co-Facilitator, CFSA Training for foster parents

Court Appointed Special Advocate (CASA), February 2012 – July 2015

- Actively Advocated for teenagers in Foster Care and Juvenile Justice System Committed Care
- Primary liaison for teenagers who required additional support with Life Skills, and navigating the Child Welfare system
- Successfully Advocated on behalf of teens at all court appearances

Transgender Health Empowerment, Inc. [T.H.E., Inc.]

Board of Directors October 2011 – November 2013

- Raised \$180,000 through Grant Writing and Fund Raising
- Principle Advocate to DC Government and potential private donors and business partnerships
- Wrote and distributed Press Releases and monthly donor newsletters

Professional Experience :

Prior to retiring I worked for more than 35 years in all aspects of Hotel Administration, including Accounting, Budgets, Cost Controls, Payroll, Human Resources Administration, Training & Recruiting, Sales & Marketing, Quality Assurance / Guest Satisfaction, Team Building and Guest Relations.

PILLAR HOTELS & RESORTS

14300 Crossing Place, Woodbridge, VA 22192

General Manager, Courtyard Potomac Mills – Woodbridge June 2014 – July 2016

B. F. SAUL COMPANY HOSPITALITY GROUP

7501 Wisconsin Avenue, Bethesda, MD 20814

General Manager, Holiday Inn Express Reston/Herndon July 2012 – April 2014

BALTIMORE MANAGEMENT HOSPITALITY GROUP

1100 Cromwell Bridge Road, Towson, MD 21286

Regional Director of Operations April 2011 to December 2011

BAYWOOD HOTELS

7871 Belle Pointe Drive, Greenbelt, MD 20770

General Manager, Comfort Inn Downtown DC March 2008 to March 2011

ROYCO HOTELS, INC.

6254 Duke Street, Alexandria, VA 22312

Dual Property Manager, Comfort Inn Landmark and Days Inn Alexandria
May 2007 to December 2007

PM HOSPITALITY STRATEGIES

2020 K Street, NW, Suite 800, Washington, DC 20006

General Manager, Fairfield Inn Capital Beltway, Beltsville, MD July 2005 – November 2006 Also
General Manager, Comfort Inn Gunston Corner, Lorton, VA April 2004 - July 2005

PALMER – GOSNELL MANAGEMENT

FAIRFIELD INN POTOMAC MILLS 2610 Prince William Parkway, Woodbridge, VA General
Manager / Corporate Director of Management Training & Workforce Development January 2000 –
March 2004

Professional Affiliations and Activities:

Certified Hotel Administrator (CHA) through the American Hotel & Lodging Association, since February 2001.

2001 – 2015 Board of Directors of the Virginia Hotel & Travel Association, Richmond, VA.

2011 – 2012 President, Virginia Hotel & Lodging Association

2011 – 2016 Chairman & Trustee of the Virginia Hospitality & Travel Assoc. Education Foundation.

2010 American Hotel & Lodging Association *State Leadership Award* Recipient

2008 – 2011 Vice President, Virginia Hotel & Lodging Association.

2006 – 2009 Chairman, Government Relations Committee, Virginia Hotel & Travel Association.

2005 – 2006 Board of Directors of the Maryland Hotel & Lodging Association.



COUNCIL OF THE DISTRICT OF COLUMBIA
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004

Phil Mendelson
Chairman

Office: (202) 724-8032
Fax: (202) 724-8085

April 20, 2018

Mr. Patrick M. Foley
4631 12th Street, NE
Washington, DC 20017

Dear Mr. Foley,

Congratulations on your nomination for appointment as a member of the Citizen Review Panel ("Panel"). As you know, the nomination is subject to confirmation by the Council. The Committee of the Whole has scheduled a public roundtable on your nomination for **Wednesday, April 25, 2018 at 2:30 p.m. in Hearing Room 123**. Enclosed is a copy of the roundtable notice. It is standard for the Council to submit questions to nominees. I request your response to the following questions no later than close of business Monday, April 23, 2018.

1. Please provide a copy of the Financial Disclosure Statement you filed with the Office of Campaign Finance or the Board of Ethics and Government Accountability. If you have not filed a Financial Disclosure Statement, please provide answers to questions 2-8 in lieu of that statement.
2. Please provide the name of each business entity transacting any business with the District Government in which you have a beneficial interest valued in excess of \$5,000, including publicly traded stock.
3. Please provide the name of each business entity transacting any business (including consulting) with the District Government from which you or your immediate family have received (or are receiving) income for services rendered in excess of \$1,000 during the past two years.
4. Please provide the name of each business entity transacting business with the District Government in which you or any member of your immediate family serves as an officer, director, partner, or agent. Also list the position(s) held, a brief description of the entity, and any other pertinent details.
5. Please provide the name of any lender and the amount of liability for each outstanding liability borrowed by you or any member of your immediate family in excess of \$5,000. Do not include loans from a federal or state insured or regulated financial institution, or from any business enterprise regularly engaged in the business of providing revolving credit or installment accounts.
6. Please list the location of all real property located in the District of Columbia in which you have an interest with a fair market value in excess of \$5,000.
7. Please list all professional and occupational licenses held by you.
8. Please list any professional organizations of which you are currently a member.
9. Please list all boards and commissions connected with the District government on which you are or have been a member, and include the term of service for each.

10. Please list any other boards (e.g. Boards of Directors of a non-profit) on which you are a member.
11. Do you have any outstanding liability for taxes, fees, or other payments to the District, federal, or other state or local governments, either contested or uncontested? If so, please provide documentation of attempts to pay the amount owed or to resolve the disputed claim.
12. Do you or any member of your immediate family have any interest, financial or otherwise, that may directly or indirectly pose a conflict of interest for you in performance of your duties as a member of the Panel?
13. Please describe any local political activity (i.e. the District of Columbia local elections or campaigns) that you have engaged in over the past five years, including any campaign contributions to a local candidate or political action committee.
14. Are you registered with any local, state, or federal government to lobby? If so, list the jurisdiction(s) in which you are registered.
15. (a) Why have you agreed to serve for a three-year term?
(b) How do you plan to help the Panel fulfill its role and mission during your time on the Panel over the next three years?
16. Please discuss any past and present experiences not already mentioned that you believe are relevant to support your appointment as a member of the Panel.

At the April 25th roundtable, you will be asked to make an opening statement indicating your interest in serving as a member of the Panel. The testimony of persons interested in supporting your nomination is helpful but not necessary. Interested parties may call the Committee office to register to testify (724-8196) or, alternatively, may submit written comments to the Committee regarding your nomination via letter mail or e-mail (COW@dccouncil.us).

If you have any questions, please do not hesitate to call me or Peter Johnson on my staff at (202) 724-8083.

Sincerely,



Phil Mendelson
Chairman

enc.

PM/pj

Patrick M. Foley Responses

1. Please provide a copy of the Financial Disclosure Statement you filed with the Office of Campaign Finance or the Board of Ethics and Government Accountability. If you have not filed a Financial Disclosure Statement, please provide answers to questions 2-8 in lieu of that statement.

I have not filed a Financial disclosure Statement

2. Please provide the name of each business entity transacting any business with the District Government in which you have a beneficial interest valued in excess of \$5,000, including publicly traded stock.

I have no beneficial interest in any company doing business with the District of Columbia

3. Please provide the name of each business entity transacting any business (including consulting) with the District Government from which you or your immediate family have received (or are receiving) income for services rendered in excess of \$1,000 during the past two years.

Neither I nor any member of my family receive any income from any company doing business with the District of Columbia

4. Please provide the name of each business entity transacting business with the District Government in which you or any member of your immediate family serves as an officer, director, partner, or agent. Also list the position(s) held, a brief description of the entity, and any other pertinent details.

Neither I nor any member of my family serves as an officer, director, partner or agent for any company doing business with the District of Columbia

5. Please provide the name of any lender and the amount of liability for each outstanding liability borrowed by you or any member of your immediate family in excess of \$5,000. Do not include loans from a federal or state insured or regulated financial institution, or from any business enterprise regularly engaged in the business of providing revolving credit or installment accounts.

I have no qualifying loans

6. Please list the location of all real property located in the District of Columbia in which you have an interest with a fair market value in excess of \$5,000.

My home is located at 4631 12th Street NE, Washington, DC.

7. Please list all professional and occupational licenses held by you.

I am currently retired, and have no current professional or occupational licenses

8. Please list any professional organizations of which you are currently a member.

I have retired from all professional organizations

9. Please list all boards and commissions connected with the District government on which you are or have been a member, and include the term of service for each.

I have not served on a Board or Commission connected to the District of Columbia

10. Please list any other boards (e.g. Boards of Directors of a non-profit) on which you are a member.

I am not a member of any Boards

11. Do you have any outstanding liability for taxes, fees, or other payments to the District, federal, or other state or local governments, either contested or uncontested? If so, please provide documentation of attempts to pay the amount owed or to resolve the disputed claim.

I have no outstanding liabilities to the District or federal or other state or local governments

12. Do you or any member of your immediate family have any interest, financial or otherwise, that may directly or indirectly pose a conflict of interest for you in performance of your duties as a member of the Panel?

No

13. Please describe any local political activity (i.e. the District of Columbia local elections or campaigns) that you have engaged in over the past five years, including any campaign contributions to a local candidate or political action committee.

I have not participated in any political activities, nor have I contributed to any political campaigns or PAC

14. Are you registered with any local, state, or federal government to lobby? If so, list the jurisdiction(s) in which you are registered.

I am not registered to lobby

1. (a) Why have you agreed to serve for a three-year term?

Eight years ago I opened my home to a 16 year old foster son. Over the years I added four other foster sons to my family, and have let them know that they cannot age-out of my family. My oldest foster son is now 24, and still living with me. I am currently the legal guardian of three of my sons, and in the process of becoming Guardian to my newest son, age 15. I am deeply committed to helping make the lives of children in foster care a little better.

(b) How do you plan to help the Panel fulfill its role and mission during your time on the Panel over the next three years?

I have a particular interest in foster children who age-out of the system when they turn 21. I believe we need to do a much better job preparing youths for the day they become independent

2. Please discuss any past and present experiences not already mentioned that you believe are relevant to support your appointment as a member of the Panel.

I have fostered nine placements in the past 8 years, specializing in providing housing to teenage boys who identify as gay. I continue to stay involved in their lives, even if they are no longer with me. I have been active in a number of committees with CFSA, including serving as a member of the Foster Parents Advisory Committee, member of the LGBT Outreach Committee, the Foster Parent Bill of Rights Workgroup, and the DC Court Education Committee for Juvenile/PINS Youth Workgroup.

1 **DRAFT COMMITTEE PRINT**
2 Committee of the Whole
3 May 15, 2018
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7 **A PROPOSED RESOLUTION**

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9 22-769
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12 **IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**
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16 To appoint Mr. Patrick M. Foley to the Citizen Review Panel.
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18 **RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA**, That this
19 resolution may be cited as the “Citizen Review Panel Patrick M. Foley Appointment Resolution
20 of 2018”.

21 **Sec. 2.** The Council of the District of Columbia appoints:

22 Patrick M. Foley
23 4631 12th Street, N.E.
24 Washington, DC 20017
25 (Ward 5)
26

27 as a member of the Citizen Review Panel, established by section 351 of the Prevention of Child
28 Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code
29 § 4-1303.51), to serve for a term ending three years after the effective date of this resolution.

30 **Sec. 3.** The Council of the District of Columbia shall transmit a copy of this resolution,
31 upon its adoption, to the appointee, the chairperson of the Panel, and to the Office of the Mayor.

32 **Sec. 4.** This resolution shall take effect immediately upon the first date of publication in
33 the District of Columbia Register.