



WEST VIRGINIA  
**Foster Care  
Ombudsman**

**West Virginia Foster Care Ombudsman Program  
State Fiscal Year 2022 ~ 2nd Quarter Report  
October 1, 2021 - December 31, 2021**



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
OFFICE OF INSPECTOR GENERAL

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June 1, 2022

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Legislative Oversight Commission on Health and Human Resources Accountability  
West Virginia Supreme Court of Appeals  
West Virginia Department of Health and Human Resources, Bureau for Social Services

I am pleased to submit the second quarterly report of the Foster Care Ombudsman office for the 2022 state fiscal year. This report captures the second fiscal quarter beginning October 1, 2021.

Please contact the Foster Care Ombudsman office with questions, comments, or for additional information.

Sincerely,

*Pamela M. Woodman-Kaehler*

Pamela M. Woodman-Kaehler, Director  
Foster Care Ombudsman

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## Foster Care Ombudsman Quarterly Report

Reporting Period: Second Quarter - October 1, 2021 to December 31, 2021

*Voices Heard. People Empowered. Systems Informed.*

### Introduction

The Foster Care Ombudsman (FCO), located within the West Virginia Department of Health and Human Resources (DHHR), Office of Inspector General, receives, investigates, and resolves complaints filed on behalf of foster children, foster parents, kinship parents, and on the Foster Care Ombudsman’s own initiative. This quarterly report provides summary data relating to complaints pursuant to the requirements of W. Va. Code §9-5-27, §49-9-102, §49-2-126, and §49-2-127.

### **Mission:**

The Foster Care Ombudsman is an independent, impartial, and confidential resource that advocates for the rights of foster children and foster/kinship parents, investigates and resolves complaints, and makes recommendations for systemic reform.

### **Vision:**

We envision an empathic, healing, and accountable child welfare system where voices are heard, people are empowered, and systems are responsive.

Data in the quarterly report does *not* yet include systemic reviews/cases or those that are conducted on the Foster Care Ombudsman’s initiative. Information detailing this work product will be integrated into future reports. Detailed “drill down” complaint data by county is available to the Bureau of Social Services.

### Complaint Count by Month and Quarter

Data below reflects complaints received by month and quarter within the state fiscal year (SFY) 2022. Complaint data in this report, unless otherwise specified, is presented to reflect complaints that were in a closed/concluded status as of December 31, 2021. By comparison, for the same two quarter period in SFY 2020, the complaints totalled 178. **This represents a 73.6% year over year increase.**

| Complaint Count by Month and Quarter |           |     |     |           |     |     |           |     |     |           |     |     |                                     |
|--------------------------------------|-----------|-----|-----|-----------|-----|-----|-----------|-----|-----|-----------|-----|-----|-------------------------------------|
| SFY 2022                             | 2021      |     |     |           |     |     | 2022      |     |     |           |     |     | State Fiscal Year End Running Total |
|                                      | Jul       | Aug | Sep | Oct       | Nov | Dec | Jan       | Feb | Mar | Apr       | May | Jun |                                     |
|                                      | 61        | 52  | 58  | 38        | 55  | 45  | 0         | 0   | 0   | 0         | 0   | 0   |                                     |
| Total                                | Quarter 1 |     |     | Quarter 2 |     |     | Quarter 3 |     |     | Quarter 4 |     |     | 309                                 |
|                                      | 171       |     |     | 138       |     |     | 0         |     |     | 0         |     |     |                                     |

### Complaint Count by Alleged Bill of Rights Violations

Data below reflects complaints received when a Bill of Rights provision is alleged to be violated. The count reflects DHHR's Bureau for Social Services region by case county and the Foster Care Ombudsman determination of complaint validity. The date span for this table is October 1, 2021 through December 31, 2021. Of the 309 total complaints received during this period, 59 complaints (19% of the total) included alleged Bill of Rights violations and of those, 44.1% were determined wholly or partially valid.

| Complaint Count by Alleged Bill of Rights Violations |          |          |          |          |       |                   |
|--|----------|----------|----------|----------|-------|-------------------|
| Bill of Rights (BOR)                                 | Region 1 | Region 2 | Region 3 | Region 4 | Total | Percent Validated |
| Foster/Kinship BOR                                   | 2        | 3        | 4        | 4        | 13    | 30.8%             |
| Both BOR   | 11       | 5        | 12       | 4        | 32    | 50.0%             |
| Child BOR  | 3        | 3        | 6        | 2        | 14    | 42.9%             |
| Total  | 16       | 11       | 22       | 10       | 59    | 44.1%             |

### Complaint Count by Bureau for Social Services Unit

Data below reflects complaints received according to the Bureau for Social Services (BSS) unit that is most closely associated with a complaint's main theme for each quarter of the state fiscal year. The federal Interstate Compact on the Placement of Children governs the placement of children in other states. The Institutional Investigative Unit within BSS is responsible for child abuse and neglect investigations in residential facilities, schools, and foster homes.

| Complaint Count by Bureau for Social Services Unit |       |       |      |      |       |         |
|--|-------|-------|------|------|-------|---------|
| Bureau for Social Services Unit                    | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Child Protective Services                          | 150   | 94    | 0    | 0    | 244   | 79.0%   |
| Other  | 5     | 32    | 0    | 0    | 37    | 12.0%   |
| Adoption   | 6     | 3     | 0    | 0    | 9     | 2.9%    |
| Homefinding  | 1     | 5     | 0    | 0    | 6     | 1.9%    |
| Post-Adoption                                      | 4     | 2     | 0    | 0    | 6     | 1.9%    |
| Youth Services                                     | 4     | 1     | 0    | 0    | 5     | 1.6%    |
| Centralized Intake (Abuse & Neglect Hotline)       | 1     | 1     | 0    | 0    | 2     | 0.6%    |
| Institutional Investigative Unit                   | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Interstate Compact on the Placement of Children    | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Total  | 171   | 138   | 0    | 0    | 309   |         |
|  | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |

### Complaint Count by Main Complaint Theme

Data below reflects complaints received according to the main theme of the complaint as expressed to the Foster Care Ombudsman by the complainant for this quarter of SFY 2022. Additional theme levels and greater specificity regarding the topical content of complaints will be provided in future FCO reports.

| Complaint Count by Main Complaint Theme |       |       |      |      |       |         |
|---|-------|-------|------|------|-------|---------|
| Main Complaint Theme                    | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Action/Inaction of Agency/Employee      | 56    | 31    | 0    | 0    | 87    | 28.2%   |
| Placement of Children                   | 31    | 22    | 0    | 0    | 53    | 17.2%   |
| Decision of Agency/Employee             | 31    | 19    | 0    | 0    | 50    | 16.2%   |
| Lack of Communication                   | 21    | 22    | 0    | 0    | 43    | 13.9%   |
| Financial Issue/Reimbursement           | 11    | 26    | 0    | 0    | 37    | 12.0%   |
| Removal of Children                     | 9     | 10    | 0    | 0    | 19    | 6.1%    |
| Policy/Regulation Issue                 | 7     | 2     | 0    | 0    | 9     | 2.9%    |
| Rude/Unfair Treatment                   | 3     | 2     | 0    | 0    | 5     | 1.6%    |
| Other                                   | 1     | 3     | 0    | 0    | 4     | 1.3%    |
| Threat/Retaliatory Treatment            | 1     | 1     | 0    | 0    | 2     | 0.6%    |
| Total                                   | 171   | 138   | 0    | 0    | 309   |         |
|   | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |

### Complaint Count by Complainant Relationship to Child

Data below reflects complaints received according to the relationship of the complainant to the child for this quarter within SFY 2022.

| Complaint Count by Complainant Relationship to Child |       |       |      |      |       |         |
|--|-------|-------|------|------|-------|---------|
| Relationship to Child                                | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Non-Relative Foster Parent                           | 63    | 43    | 0    | 0    | 106   | 34.3%   |
| Relative/Kinship Parent                              | 31    | 47    | 0    | 0    | 78    | 25.2%   |
| Birth Parent   | 27    | 13    | 0    | 0    | 40    | 12.9%   |
| Other Non-Caregiving Relative/Kinship                | 20    | 11    | 0    | 0    | 31    | 10.0%   |
| Other or Unspecified                                 | 9     | 7     | 0    | 0    | 16    | 5.2%    |
| Community Professional/Service Provider              | 7     | 7     | 0    | 0    | 14    | 4.5%    |
| State Employee                                       | 6     | 3     | 0    | 0    | 9     | 2.9%    |
| Legal Guardian                                       | 2     | 5     | 0    | 0    | 7     | 2.3%    |
| Other Attorney                                       | 3     | 0     | 0    | 0    | 3     | 1.0%    |
| Birth Parent's Attorney                              | 2     | 0     | 0    | 0    | 2     | 0.6%    |
| Adoptive Parent                                      | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Child's Attorney/GAL                                 | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| Child  | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Other Relative                                       | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Total  | 171   | 138   | 0    | 0    | 309   |         |
|  | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |

### Complaint Count by FCO Case Intensity

Data below reflects complaints received according to the level of assistance provided by the Foster Care Ombudsman for this quarter of SFY 2022. Data of this nature will be incorporated into future reports.

- *Intervention* involves routine case documentation review, interaction by the FCO with four or fewer contacts inside or outside of DHHR, facilitating communications between the complainant and other case participants and authorities, as well as providing education, context, and referrals to other entities, people, or resources. Cases of this intensity level may involve or exceed 20 hours of FCO time.
- *Information* involves providing education, context, and referrals to other entities, people, or resources. Cases of this intensity level vary significantly in content and may involve or exceed 10 hours of FCO time.
- *Investigation* involves non-routine, systemic, or more intensive/on-site review, interaction with five or more contacts inside or outside of DHHR, and may necessitate formal meetings/reports involving internal or external agency leadership. Cases of this intensity level may be case-specific or systemic and involve a team of FCO personnel.

| Complaint Count by FCO Case Intensity |       |       |      |      |       |         |
|---------------------------------------|-------|-------|------|------|-------|---------|
| FCO Case Intensity                    | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Intervention                          | 110   | 99    | 0    | 0    | 209   | 67.6%   |
| Information                           | 54    | 34    | 0    | 0    | 88    | 28.5%   |
| Case Withdrawn                        | 1     | 5     | 0    | 0    | 6     | 1.9%    |
| Investigation                         | 6     | 0     | 0    | 0    | 6     | 1.9%    |
| Total                                 | 171   | 138   | 0    | 0    | 309   |         |
|                                       | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |

### Complaint Count by Referral Source

Data below reflects complaints received according to the referral source, i.e., the means by which the complainant learned about the Foster Care Ombudsman, for this quarter of SFY 2022.

| Complaint Count by Referral Source                 |       |       |      |      |       |         |
|--|-------|-------|------|------|-------|---------|
| Referral Source                                    | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Community Professional/Service Provider            | 34    | 21    | 0    | 0    | 55    | 17.8%   |
| State Employee                                     | 27    | 23    | 0    | 0    | 50    | 16.2%   |
| Friend/Family                                      | 17    | 26    | 0    | 0    | 43    | 13.9%   |
| Conference/Training                                | 26    | 17    | 0    | 0    | 43    | 13.9%   |
| Social Media/Internet                              | 26    | 15    | 0    | 0    | 41    | 13.3%   |
| Prior Contact with FCO                             | 23    | 16    | 0    | 0    | 39    | 12.6%   |
| Unspecified  | 8     | 10    | 0    | 0    | 18    | 5.8%    |
| Attorney/GAL                                       | 8     | 1     | 0    | 0    | 9     | 2.9%    |
| Other  | 0     | 3     | 0    | 0    | 3     | 1.0%    |
| Media (TV, Brochures, Pamphlets, Other Literature) | 0     | 3     | 0    | 0    | 3     | 1.0%    |
| Elected Official                                   | 1     | 2     | 0    | 0    | 3     | 1.0%    |
| Court Appointed Special Advocate                   | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Teacher/School Employee                            | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| FCO Website  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Email  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Initiated by FCO                                   | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Total  | 171   | 138   | 0    | 0    | 309   |         |
|  | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |

### Complaint Count by Closure

Data below reflects complaints received according to the nature of the case closure for this quarter of the SFY. The Foster Care Ombudsman continues to examine and label complaint closings with greater specificity. In nearly all cases, complaints determined valid are with the concurrence of and notification to the involved agency, *which may or may not be BSS*. By comparison regarding percent validated in whole or in part, for the same two quarter period in 2020, the percent valid was 33.7%.

| Complaint Count by Closure                |            |       |      |      |       |         |
|---|------------|-------|------|------|-------|---------|
| Closure                                   | Q1         | Q2    | Q3   | Q4   | Total | Percent |
| Not Valid                                 | 48         | 45    | 0    | 0    | 93    | 30.1%   |
| Information Exchange                      | 53         | 28    | 0    | 0    | 81    | 26.2%   |
| Valid - Resolved                          | 29         | 33    | 0    | 0    | 62    | 20.1%   |
| Partially Valid                           | 19         | 15    | 0    | 0    | 34    | 11.0%   |
| Insufficient Information to Rate Validity | 12         | 6     | 0    | 0    | 18    | 5.8%    |
| Withdrawn by Complainant                  | 8          | 6     | 0    | 0    | 14    | 4.5%    |
| Valid - Not Resolved                      | 2          | 4     | 0    | 0    | 6     | 1.9%    |
| Other                                     | 0          | 1     | 0    | 0    | 1     | 0.3%    |
| Declined by FCO                           | 0          | 0     | 0    | 0    | 0     | 0.0%    |
| Total                                     | 171        | 138   | 0    | 0    | 309   |         |
|   | 55.3%      | 44.7% | 0.0% | 0.0% |       | 100.0%  |
|   | Validity % |       |      |      |       | 33.0%   |

### Complaint Count by Bureau for Social Services Region

Data below reflects complaints received by BSS region during this quarter for SFY 2022. Complaints were grouped into four BSS regions then grouped into two North and South BSS regions after a BSS organizational redesign.

| Complaint Count by Bureau for Social Services Region |       |       |      |      |        |         |
|--|-------|-------|------|------|--------|---------|
| Region   | Q1    | Q2    | Q3   | Q4   | Totals | Percent |
| 1  | 34    | 37    | 0    | 0    | 71     | 23.0%   |
| 2  | 37    | 24    | 0    | 0    | 61     | 19.7%   |
| 3  | 54    | 44    | 0    | 0    | 98     | 31.7%   |
| 4  | 33    | 24    | 0    | 0    | 57     | 18.4%   |
| Unspecified  | 13    | 9     | 0    | 0    | 22     | 7.1%    |
| Total  | 171   | 138   | 0    | 0    | 309    |         |
|  | 55.3% | 44.7% | 0.0% | 0.0% |        | 100%    |

| Complaint Count by Bureau for Social Services Region |       |       |      |      |        |         |
|--|-------|-------|------|------|--------|---------|
| Region   | Q1    | Q2    | Q3   | Q4   | Totals | Percent |
| North  | 84    | 79    | 0    | 0    | 163    | 52.8%   |
| South  | 72    | 51    | 0    | 0    | 123    | 39.8%   |
| Unspecified  | 15    | 8     | 0    | 0    | 23     | 7.4%    |
| Total  | 171   | 138   | 0    | 0    | 309    |         |
|  | 55.3% | 44.7% | 0.0% | 0.0% |        | 100.0%  |

### Complaint Count by Method of Initial Contact with FCO

Data to the right reflects complaints received according to the means by which the complainant made initial contact with the Foster Care Ombudsman, for this quarter of SFY 2022.

| Complaint Count by Method of Initial Contact with FCO |       |       |      |      |       |         |
|---|-------|-------|------|------|-------|---------|
| Method of Contact                                     | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Telephone   | 121   | 115   | 0    | 0    | 236   | 76.4%   |
| Email   | 45    | 21    | 0    | 0    | 66    | 21.4%   |
| Fax/Letter/Text/Online/Other                          | 4     | 2     | 0    | 0    | 6     | 1.9%    |
| In Person   | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| No Prior Contact                                      | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Total   | 171   | 138   | 0    | 0    | 309   |         |
|   | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |



### Complaint Count by Bureau for Social Services Case County

Data to the right reflects complaints received according to the BSS case county for this quarter for the SFY 2022. Complaints are geographically determined by the county of the BSS case. When reviewing complaint totals by county, it is important to consider that each county exhibits differences, including population, demographics, and number of child abuse and neglect petitions filed.

### Conclusion

The Foster Care Ombudsman is committed to providing a helping service and to endorsing that the voices of those served and affected by West Virginia’s foster care system are valued, respected, and integrated to the system’s development and improvement. If you would like more information about the Foster Care Ombudsman unit, email [FosterCareOmbudsman@wv.gov](mailto:FosterCareOmbudsman@wv.gov).

| Complaint Count by Bureau for Social Services Case County |       |       |      |      |       |         |
|---|-------|-------|------|------|-------|---------|
| County  | Q1    | Q2    | Q3   | Q4   | Total | Percent |
| Barbour   | 4     | 4     | 0    | 0    | 8     | 2.6%    |
| Berkeley  | 4     | 3     | 0    | 0    | 7     | 2.3%    |
| Boone   | 3     | 2     | 0    | 0    | 5     | 1.6%    |
| Braxton   | 1     | 4     | 0    | 0    | 5     | 1.6%    |
| Brooke  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Cabell  | 6     | 2     | 0    | 0    | 8     | 2.6%    |
| Calhoun   | 2     | 1     | 0    | 0    | 3     | 1.0%    |
| Clay  | 1     | 4     | 0    | 0    | 5     | 1.6%    |
| Doddridge   | 2     | 0     | 0    | 0    | 2     | 0.6%    |
| Fayette   | 10    | 2     | 0    | 0    | 12    | 3.9%    |
| Gilmer  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Grant   | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| Greenbrier  | 2     | 1     | 0    | 0    | 3     | 1.0%    |
| Hampshire   | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Hancock   | 1     | 3     | 0    | 0    | 4     | 1.3%    |
| Hardy   | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Harrison  | 14    | 17    | 0    | 0    | 31    | 10.0%   |
| Jackson   | 0     | 3     | 0    | 0    | 3     | 1.0%    |
| Jefferson   | 2     | 0     | 0    | 0    | 2     | 0.6%    |
| Kanawha   | 23    | 15    | 0    | 0    | 38    | 12.3%   |
| Lewis   | 4     | 0     | 0    | 0    | 4     | 1.3%    |
| Lincoln   | 1     | 1     | 0    | 0    | 2     | 0.6%    |
| Logan   | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Marion  | 1     | 2     | 0    | 0    | 3     | 1.0%    |
| Marshall  | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| Mason   | 0     | 3     | 0    | 0    | 3     | 1.0%    |
| McDowell  | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Mercer  | 3     | 4     | 0    | 0    | 7     | 2.3%    |
| Mineral   | 1     | 1     | 0    | 0    | 2     | 0.6%    |
| Mingo   | 2     | 2     | 0    | 0    | 4     | 1.3%    |
| Monongalia  | 12    | 5     | 0    | 0    | 17    | 5.5%    |
| Monroe  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Morgan  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Nicholas  | 3     | 6     | 0    | 0    | 9     | 2.9%    |
| Ohio  | 6     | 2     | 0    | 0    | 8     | 2.6%    |
| Pendleton   | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Pleasants   | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| Pocahontas  | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| Preston   | 4     | 3     | 0    | 0    | 7     | 2.3%    |
| Putnam  | 1     | 0     | 0    | 0    | 1     | 0.3%    |
| Raleigh   | 8     | 3     | 0    | 0    | 11    | 3.6%    |
| Randolph  | 6     | 5     | 0    | 0    | 11    | 3.6%    |
| Ritchie   | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Roane   | 1     | 1     | 0    | 0    | 2     | 0.6%    |
| Summers   | 0     | 2     | 0    | 0    | 2     | 0.6%    |
| Taylor  | 5     | 3     | 0    | 0    | 8     | 2.6%    |
| Tucker  | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Tyler   | 1     | 1     | 0    | 0    | 2     | 0.6%    |
| Upshur  | 7     | 3     | 0    | 0    | 10    | 3.2%    |
| Wayne   | 2     | 0     | 0    | 0    | 2     | 0.6%    |
| Webster   | 0     | 2     | 0    | 0    | 2     | 0.6%    |
| Wetzel  | 0     | 1     | 0    | 0    | 1     | 0.3%    |
| Wirt  | 0     | 0     | 0    | 0    | 0     | 0.0%    |
| Wood  | 5     | 15    | 0    | 0    | 20    | 6.5%    |
| Wyoming   | 4     | 1     | 0    | 0    | 5     | 1.6%    |
| Unspecified   | 15    | 8     | 0    | 0    | 23    | 7.4%    |
| Total   | 171   | 138   | 0    | 0    | 309   |         |
|   | 55.3% | 44.7% | 0.0% | 0.0% |       | 100.0%  |