Filed 1/19/18 In re Jerome H. CA2/7

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SEVEN

In re JEROME H., a Person Coming Under the Juvenile Court Law.	B279310
LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES, Plaintiff and Respondent, v. K.B., Defendant and Appellant.	(Los Angeles County Super. Ct. No. DK18268)

APPEAL from an order of the Superior Court of Los Angeles County, Kristen Byrdsong, Juvenile Court Referee. Affirmed.

Konrad S. Lee, under appointment by the Court of Appeal, for Defendant and Appellant.

Mary C. Wickham, County Counsel, R. Keith Davis, Assistant County Counsel, and Julia Roberson, Deputy County Counsel, for Plaintiff and Respondent.

INTRODUCTION

K.B. appeals from the juvenile court's disposition order removing her three-year-old son, Jerome H., from her care and placing him with his maternal grandmother. K.B. argues the juvenile court failed to make express findings on the record, as required by Welfare and Institutions Code section 361, subdivisions (c) and (d),[1] that there were no reasonable means to protect Jerome other than removing him from K.B.'s custody and that the Los Angeles County Department of Children and Family Services made reasonable efforts to prevent the need for his removal. K.B. also contends there is no substantial evidence to support such findings. We conclude that the juvenile court's failure to comply with section 361 was harmless and that there was substantial evidence the Department exercised reasonable efforts to prevent Jerome's removal and there were no reasonable alternatives to removal. Therefore, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

A. *Investigation*

Jerome's parents are K.B. and her ex-boyfriend, Jerome H., Sr. On July 7, 2016 K.B. and Jerome Sr. got into an argument in K.B.'s home and in Jerome's presence. The argument became physical and culminated with K.B. stabbing Jerome Sr. multiple times in the leg with a knife. Both parents were arrested. The Department was notified and took custody of

---

[1] Statutory references are to the Welfare and Institutions Code.

Jerome. There had been at least three prior reported domestic violence incidents between K.B. and Jerome Sr.

According to one of the arresting officers, K.B. and Jerome Sr. did not live together and, although there were no signs of forced entry, K.B. claimed Jerome Sr. broke into the house. K.B. also told police officers that, during the altercation, Jerome Sr. punched her in the face. K.B., however, had no visible injuries.

Officers reported that K.B.'s home was "hazardous and of concern" because there were cockroaches and trash everywhere, including in Jerome and K.B.'s bedroom, and little or no food in the kitchen. The home had a foul odor, and the gas was left burning on the stove. Officers found a marijuana pipe in an open canister in the bedroom.

Officers interviewed K.B.'s mother, who agreed to care for Jerome. She told the officers she was concerned about Jerome because she suspected K.B. was using drugs and engaging in prostitution. K.B.'s criminal history revealed arrests in 2010 and 2011 for prostitution.

The next day the Department interviewed K.B., who admitted she and Jerome Sr. had a history of domestic violence and had been in an "on and off" relationship for some time, but had not been together for the last two years. K.B. denied stabbing Jerome Sr. the previous day; she claimed he cut himself when he backed into a trash rack after she swung at him. She stated Jerome was holding her leg while they were in the kitchen, but when Jerome Sr. hit her Jerome ran into the bedroom. K.B. stated she had a restraining order against Jerome Sr. but admitted she had not served him with it. K.B. denied any current drug use and stated there was no marijuana pipe in the home. She claimed Jerome Sr. used methamphetamine,

marijuana, "'and probably a number of other things.'" K.B. said she needed "therapy and domestic violence classes."

The Department also interviewed Jerome Sr., who had an extensive criminal history, including arrests and convictions for drug-related crimes and domestic violence. Jerome Sr. said K.B. had let him into her home the day before the incident and he spent the night there. Jerome Sr. said he usually saw Jerome twice a week, unless K.B. was upset with him. He denied any current drug use.

Jerome's prior child welfare history revealed referrals in 2013 and 2014, both of which noted a history of domestic violence involving K.B. and Jerome Sr., but the Department had closed the referrals as inconclusive. In the 2013 referral, K.B. acknowledged that she and Jerome Sr. had a history of domestic violence and that she had a restraining order against him, but that she went to see him anyway. An argument ensued, and Jerome Sr. punched K.B. in the face five times, pulled her hair, and called her a "stupid bitch," all while she was holding Jerome. K.B. stated Jerome Sr. may have hit Jerome during the incident.

The 2014 referral also indicated K.B. had a domestic violence restraining order against Jerome Sr., but K.B.'s mother suspected K.B. had resumed contact with him after his release from jail. K.B.'s mother also suspected K.B. was using drugs, a suspicion shared by the police officer who interviewed K.B. and thought she appeared unstable.

B. *Petition*

On July 12, 2016 the Department filed a petition alleging Jerome came within the jurisdiction of the juvenile court under section 300, subdivisions (a) and (b). The Department alleged the

parents had "a history of engaging in violent altercations in the presence of the child" and referred to the July 7, 2016 incident and a prior occasion when Jerome Sr. had thrown a cigarette at K.B. while she was holding Jerome. The Department also alleged K.B. maintained a "filthy, unsanitary and hazardous home environment" for Jerome, noting there were pieces of trash and cockroaches throughout the home, knives in the sink, a foul odor, and the smell of gas. The Department also alleged K.B. created "a detrimental and endangering situation" by keeping drug paraphernalia (the marijuana pipe) in the bedroom she shared with Jerome. The Department further alleged K.B. and Jerome Sr. were current users of methamphetamine and marijuana, which rendered them incapable of providing regular care and supervision of Jerome, who was "of such tender age as to require constant care and supervision." The Department alleged that these circumstances endangered Jerome's physical health and safety and placed him at risk of serious physical harm, damage, and danger.

That same day, the juvenile court held a detention hearing, at which K.B. was present. The court ordered Jerome to remain with his maternal grandmother, ordered monitored visitation for K.B., and ordered K.B. to undergo weekly drug testing. The court subsequently issued a temporary restraining order against Jerome Sr. and granted Jerome Sr. monitored visitation with Jerome.

C. *Disposition*

On September 1, 2016 the Department submitted its jurisdiction and disposition report. In the "reasonable efforts" section, the Department stated it "responded to the referral and

interviewed mother, father, and collateral contacts," "maintained contact with the family in order to conduct an investigation and evaluation," "referred the mother to weekly drug/alcohol testing," "referred maternal grandmother's home to ASFA,"[2] "requested police reports," and "referred mother to Victims of Crime." The report included a recent interview with K.B., in which she acknowledged she had been arrested after a dispute with Jerome Sr. involving a knife. K.B. admitted she had a knife during that altercation but she denied stabbing Jerome Sr., who, according to K.B., "walked up to the knife" and "got poked." K.B. also denied any drug use, insisting she had never used methamphetamine and only once tried marijuana, and that was before Jerome was born.

The Department obtained several police reports involving incidents of domestic violence, including a May 2010 incident where Jerome Sr. punched and choked K.B., and an August 2012 incident where Jerome Sr. hit K.B., knocked her to the ground, and pulled her hair. An April 2016 police report stated that K.B., during an argument with Jerome Sr., swung a knife at him and stabbed him in the back. K.B. denied stabbing Jerome Sr., but police officers arrested K.B. after observing a half-inch laceration on Jerome Sr.'s back.

At the November 21, 2016 combined jurisdiction and disposition hearing, at which K.B. was present but did not testify, the Department reported K.B. had tested negative for drugs on September 14, 2016, tested positive for methamphetamine and

---

[2] The acronym "ASFA" refers to the Adoption and Safe Families Act of 1997, which establishes federal guidelines for foster care and relative care placements. (*In re Darlene T.* (2008) 163 Cal.App.4th 929, 932, fn 1.)

amphetamine on October 28, 2016, and missed all seven other scheduled tests. K.B. also had not provided the Department with any information regarding progress in any programs. The court found the allegations in the petition true and sustained the petition in its entirety.

Regarding disposition, the court ruled: "The court finds by clear and convincing evidence that remaining in the home of parents would pose substantial danger to the child's physical health, safety, protection, and emotional well-being. He is declared a dependent of the court under Welfare and Institutions Code section 300 (a) and (b). Care, custody, and control is taken from the parents and vested with the Department. The Department is to provide the parents with family reunification services." Although the court's minute order states "there is no reasonable means to protect [Jerome] without removal" and "[r]easonable efforts have been made to prevent or eliminate the need for removal," the court did not make those findings at the hearing. K.B. timely appealed from the disposition order.

DISCUSSION

K.B. argues the juvenile court erred by failing to make "an oral finding on the record that the Department engaged in 'reasonable efforts' or that no alternative short of removal was available" and by failing to "state the factual basis" for such findings. K.B. also argues there was no substantial evidence that the Department exercised reasonable efforts to keep Jerome in her custody and that alternatives to removal were not feasible.

A. *Governing Law and Standard of Review*

Section 361, subdivision (c), authorizes the juvenile court to remove a dependent child from his or her custodial parent where the court finds by clear and convincing evidence that "[t]here is or would be a substantial danger to the physical health, safety, protection, or physical or emotional well-being of the minor if the minor were returned home, and there are no reasonable means by which the minor's physical health can be protected without removing the minor from the minor's parent's . . . physical custody." "Removal on any ground not involving parental rejection, abandonment, or institutionalization requires a finding that there are no reasonable means of protecting the child without depriving the parent of custody." (*In re J.N.* (2010) 181 Cal.App.4th 1010, 1013, fn. 3.) Section 361, subdivision (d), provides that the court must "make a determination as to whether reasonable efforts were made to prevent or to eliminate the need for removal of the minor from his or her home" and that the court "shall state the facts on which the decision to remove the minor is based."

For a court to remove a dependent child, "[t]he parent need not be dangerous and the minor need not have been actually harmed before removal is appropriate. The focus of the statute is on averting harm to the child." (*In re T.V.* (2013) 217 Cal.App.4th 126, 135-136; see *In re Cole C.* (2009) 174 Cal.App.4th 900, 917.) In deciding whether to remove a child, "the court may consider the parent's past conduct as well as present circumstances." (*In re Cole C.*, at p. 917; see *In re D.C.* (2015) 243 Cal.App.4th 41, 55; *In re John M.* (2012) 212 Cal.App.4th 1117, 1126.) "'A removal order is proper if it is based on proof of (1) parental inability to provide proper care for the

minor and (2) potential detriment to the minor if he or she remains with the parent.'" (*In re Francisco D.* (2014) 230 Cal.App.4th 73, 83; see *In re T.W.* (2013) 214 Cal.App.4th 1154, 1163.)

"We review the juvenile court's . . . disposition order for substantial evidence. [Citations.] Under this standard, '[w]e review the record to determine whether there is any substantial evidence to support the juvenile court's conclusions, and we resolve all conflicts and make all reasonable inferences from the evidence to uphold the court's orders, if possible.'" (*In re Kadence P.* (2015) 241 Cal.App.4th 1376, 1384; see *In re Christopher R.* (2014) 225 Cal.App.4th 1210, 1216.) ""'In making this determination . . . we review the record in the light most favorable to the court's determinations; and we note that issues of fact and credibility are the province of the trial court." [Citation.] "We do not reweigh the evidence or exercise independent judgment, but merely determine if there are sufficient facts to support the findings of the trial court."'" (*In re I.J.* (2013) 56 Cal.4th 766, 773; accord, *In re Yolanda L.* (2017) 7 Cal.App.5th 987, 992.) ""'Substantial evidence is evidence that is 'reasonable, credible, and of solid value'; such that a reasonable trier of fact could make such findings.'"' (*In re D.C.*, *supra*, 243 Cal.App.4th at p. 52; see *In re S.A.* (2010) 182 Cal.App.4th 1128, 1140.) "[P]arties challenging the juvenile court's findings and orders . . . bear the burden to show there was no evidence of a sufficiently substantial nature to support those findings and orders." (*In re M.R.* (2017) 8 Cal.App.5th 101, 108; see *In re D.C.,* at p. 52.)

B. *K.B. Forfeited Her Argument the Juvenile Court Failed To Make Express Findings Under Section 361 and To State the Factual Basis of Its Removal Order*

The Department contends K.B. forfeited her argument the juvenile court did not make the requisite factual findings under section 361 because at the hearing counsel for K.B. did not object that the court had failed to comply with the statute and instead counsel made only a general objection to removal. The Department is correct.[3]

"'[A] reviewing court ordinarily will not consider a challenge to a ruling if an objection could have been but was not made in the trial court. [Citation.] The purpose of this rule is to encourage parties to bring errors to the attention of the trial court, so that they may be corrected.'" (*In re Daniel B.* (2014) 231 Cal.App.4th 663, 672; *see In re G.C., Jr.* (2013) 216 Cal.App.4th 1391, 1398 ["[t]he forfeiture doctrine has been applied in dependency proceedings in a wide variety of contexts"].) Moreover, "'[g]eneral objections are insufficient to preserve issues for review. [Citation.] The objection must state the ground or grounds upon which the objection is based.'" (*In re Daniel B.,* at p. 672; *In re E.A.* (2012) 209 Cal.App.4th 787, 790.)

---

[3] K.B. has not forfeited her additional argument that there was no substantial evidence the Department made reasonable efforts and there were no reasonable alternatives to removal. """The contention that a judgment is not supported by substantial evidence . . . is an obvious exception to the [forfeiture] rule."'" (*In re Gregory A.* (2005) 126 Cal.App.4th 1554, 1560; see *In re R.V., Jr.* (2012) 208 Cal.App.4th 837, 848 [parent's challenge to removal order "on the ground of insufficient evidence . . . is not forfeited even if not raised in the juvenile court"].)

In re E.A., *supra*, 209 Cal.App.4th 787 is instructive. In that case the father made general objections to the juvenile court's disposition order but did not specify any grounds. On appeal the father challenged the disposition order by arguing the juvenile court failed to make a particular finding on the record regarding visitation. (*Id.* at p. 791.) The court in *In re E.A.* held the father had forfeited the issue because his objections at the hearing did not state any reason or ground for the objections, "were made pro forma," and essentially "were meaningless." (*Id*. at pp. 790-791.) The court stated that a purported failure to make an express finding is the sort of "alleged defect that could have been easily cured, if raised in a timely fashion." (*Id.* at p. 791; see *In re S.C.* (2006) 138 Cal.App.4th 396, 406 ["[o]therwise, opposing parties and trial courts would be deprived of opportunities to correct alleged errors, and parties and appellate courts would be required to deplete costly resources 'to address purported errors which could have been rectified in the trial court had an objection been made'"].) The court in *In re E.A.* also noted "[t]he unfairness to the trial court and the opposing side if appellate counsel is permitted to invent the *grounds* for the objection is manifest. Thus, without a reason or reasons stated, i.e. without grounds for the objection, an 'objection' is an exercise in futility." (*In re E.A.*, at p. 790.)

K.B. argues that the juvenile court's findings were "incomplete" and the court failed to make "an oral finding on the record" that the Department engaged in reasonable efforts to prevent removal and that there were no alternatives short of removal. But K.B. made no such objections in the juvenile court. Counsel for K.B. objected to one aspect of the Department's recommendations, but counsel did not argue that the

Department's efforts to prevent removal were insufficient or that the means employed to help K.B. were lacking in some way. After the juvenile court made its disposition orders, counsel for K.B. merely stated, "And just note mother's objection to the removal," to which the court replied, "So noted." K.B.'s generic statement, like the "pro forma" objection in *In re E.A.*, did not preserve her argument for appeal, especially because the juvenile court easily could have rectified any failure to make factual findings. (See *In re E.A.*, *supra*, 209 Cal.App.4th at p. 791.)

C. *Any Error in the Juvenile Court's Failure To Make Express Factual Findings on the Record Was Harmless*

Even if K.B. had not forfeited her challenge to the court's lack of express findings under section 361, the failure to make findings was harmless because it is not reasonably probable K.B. would have received a more favorable result had the court fully complied with the statute. "Before any judgment can be reversed for ordinary error, it must appear that the error complained of 'has resulted in a miscarriage of justice.' [Citation.] Reversal is justified 'only when the court, "after an examination of the entire cause, including the evidence," is of the "opinion" that it is reasonably probable that a result more favorable to the appealing party would have been reached in the absence of the error.'" (*In re Cristian I.* (2014) 224 Cal.App.4th 1088, 1098-1099; see *In re Abram L.* (2013) 219 Cal.App.4th 452, 463; *In re J.S.* (2011) 196 Cal.App.4th 1069, 1078.)

In particular, where there is no reasonable probability the court's compliance with a statutory "express finding" requirement would have changed the outcome, a failure to comply with that

requirement is harmless. (*In re J.S.*, *supra*, 196 Cal.App.4th at pp. 1078-1079; see *In re Diamond H.* (2000) 82 Cal.App.4th 1127, 1137 ["[a]lthough the court did not state a factual basis for its removal order, any error is harmless because it is not reasonably probable such findings, if made, would have been in favor of continued parental custody"], disapproved on another ground in *Renee J. v. Superior Court* (2001) 26 Cal.4th 735, 748, fn. 6; see also *In re A.L.* (2015) 243 Cal.App.4th 628, 642-643 ["[b]ecause it was not reasonably probable that the finding, if made, would have been in [appellant's] favor, the court's failure to make the finding was harmless"]; *In re Joseph T., Jr.* (2008) 163 Cal.App.4th 787, 798 [failure to make required findings under section 361.3 was harmless because it was "not reasonably probable such findings, if made, would have been in favor of the appellant"].)

K.B. contends the court's failure to make findings on whether the Department's efforts were reasonable and whether there were reasonable alternatives to removal was not harmless because "there was a reasonable chance that Jerome could safely stay in [K.B.]'s care." Not on this record.

Regarding the domestic violence allegations, K.B. asserts Jerome Sr. was "out of the picture" because he was incarcerated (at least as of the November 21, 2016 hearing), he was subject to a restraining order, and K.B. had "ended the relationship" a year earlier. Jerome Sr.'s intermittent incarceration and the issuance of restraining orders, however, have done nothing to prevent recurring incidents of violence between K.B. and Jerome Sr., including the violent altercations in April 2016 and July 2016, both of which ended with K.B. stabbing Jerome Sr. and K.B.'s arrest. (See *In re John M.*, *supra*, 212 Cal.App.4th at

pp. 1126-1127 ["[t]he juvenile court could infer these were recurring problems, and nothing in mother's situation had changed to suggest that they would not continue in the future"].) Indeed, both the 2013 and 2014 referrals included allegations K.B. had contact with Jerome Sr. despite a restraining order, and, according to Jerome Sr., K.B. invited him into her home the evening before the July 7, 2016 knife attack (which the absence of any forced entry confirmed). There was substantial evidence that restraining orders, interregna in the couple's relationship, and periods of incarceration did nothing to protect Jerome from serious risk of further exposure to domestic violence.[4]

Moreover, K.B.'s refusal to accept responsibility for her role in the violent altercations with Jerome Sr., and her failure to shield Jerome from the domestic violence, disproved her contention that she is now "likely . . . capable of caring for the child if she had some type of Department assistance." (See *In re T.V.*, *supra*, 217 Cal.App.4th at p. 136 [parent's failure to accept responsibility for domestic violence suggests there were no reasonable means to protect the child absent removal]; see also

---

[4] See *In re J.S.* (2014) 228 Cal.App.4th 1483, 1494 ["[o]ngoing domestic violence, committed by both parents, in the presence of the children . . . is substantial evidence of a substantial danger to the children's emotional well-being, if not their physical well-being"]; *In re T.V.*, *supra*, 217 Cal.App.4th at p. 134 ["[d]omestic violence impacts children even if they are not the ones being physically abused, 'because they see and hear the violence and the screaming'"]; *In re S.O.* (2002) 103 Cal.App.4th 453, 460-461 ["'domestic violence in the same household where children are living *is* neglect; it is failure to protect [them] from the substantial risk of encountering the violence and suffering serious physical harm or illness from it'"].

In re A.F. (2016) 3 Cal.App.5th 283, 293 ["[i]n light of mother's failure to recognize the risks to which she was exposing the minor, there was no reason to believe the conditions would not persist should the minor remain in her home"].) Indeed, at the disposition hearing, counsel for K.B. insisted K.B. was only a victim and objected to the court requiring K.B. to attend a domestic violence program for perpetrators. K.B.'s argument that Jerome would be safe with her because Jerome Sr. was "out of the picture" and subject to a restraining order demonstrates her continuing inability to recognize her culpability in the domestic violence that led to the removal of her child. And, although the Department referred K.B. to a program for victims of crime, there was no evidence she made any progress in the program.

As to her drug usage, K.B. suggests the court and the Department could have used random drug testing and supervision to monitor her "efforts to abstain from drug use." K.B.'s suggestion is belied by the fact that the juvenile court already ordered drug testing, and she tested positive for methamphetamine and amphetamine at one drug testing and missed seven tests without explanation. (See *In re Noah G.* (2016) 247 Cal.App.4th 1292, 1303-1304 ["the juvenile court could reasonably infer the mother's failure to comply with a court-ordered drug test may be considered as a positive test"]; *In re Kadence P.*, *supra*, 241 Cal.App.4th at p. 1384 ["a missed drug test, without adequate justification, is 'properly considered the equivalent of a positive test result'"].) Given K.B.'s ongoing drug use, notwithstanding the court's order, drug testing was not a viable means of protecting young Jerome. (See *In re Drake M.* (2012) 211 Cal.App.4th 754, 767 [substance abuse by parent of

very young child is prima facie evidence that the parent cannot provide the necessary supervision and care]; accord, *In re Christopher R.*, *supra*, 225 Cal.App.4th at p. 1220.)

In re Ashly F. (2014) 225 Cal.App.4th 803 (*Ashly F.*), cited by K.B., is readily distinguishable. In that case the mother admitted to striking her daughter with an extension cord while attempting to discipline the child. (*Id.* at p. 806.) The father was not present during the incident but told the mother that, if she disciplined the children like that again, he would end their relationship. (*Ibid.*) The court reversed the juvenile court's order removing the children from the family home, finding "[a]mple evidence existed of 'reasonable means' to protect [the children] in their home," and noting that, by the time of the disposition hearing, the mother had expressed remorse and was enrolled in a parenting class, the father had already completed a parenting class, and the mother had moved out. (*Id.* at pp. 810-811.) The court held, "On the record in this case there is a reasonable probability that had the juvenile court inquired into the basis for the claims by [the Department] that despite its efforts there were no reasonable means of protecting the children except to remove them from their home the court would have found that claim was not supported by clear and convincing evidence." (*Id.* at p. 811.)

The circumstances here are very different from those in *Ashly F.* As discussed, K.B. continued to deflect blame for her part in the violent altercations with Jerome Sr., failed to comply with court-ordered drug testing, and did not provide any evidence of participation or progress in service referrals or counseling programs. Also, having K.B. move out of the home so Jerome could remain there with his father was not an option because Jerome Sr., when he was not incarcerated, was part of the

domestic violence and drug abuse problems, not the solutions. (See *In re Alexzander C.* (2017) 18 Cal.App.5th 438, 525-526 [substantial evidence supported the juvenile court's finding it was necessary to remove the children from the custody of their parents "to protect them from a substantial danger to their physical health, safety, or protection" where "the children had access to the methamphetamine used by" the parents].)

K.B. argues that measures such as unannounced visits by Department personnel, public health nursing services, and in-home counseling services were viable reasonable means the juvenile court could have considered. As the court observed in *In re A.F.*, *supra*, 3 Cal.App.5th 283, however, "[u]nannounced visits can only assess the situation and [the] mother's sobriety at the time of the visit," and where the mother, despite testing, cannot refrain from using drugs, there is "no way to guarantee the minor's physical health, well-being, and protection while living with mother." (*Id.* at p. 293.) Here, given K.B.'s inability to stop using drugs and comply with the court's order to submit to testing, there were no additional reasonable alternatives, other than removal, to ensure Jerome's safety and well-being. And, as noted, there was no evidence K.B. had made any progress in court-ordered service programs.[5] (See *In re Cole C.*, *supra*, 174 Cal.App.4th at p. 918 [parent's failure to participate in

---

[5] Counsel for K.B. stated at the September 1, 2016 hearing that K.B. "did just enroll in individual counseling," and at the October 26, 2016 hearing counsel reported K.B. had informed her attorney she was in a program for victims of crime. Other than these oral representations by counsel, however, there was no evidence K.B. actually enrolled or participated in any services or programs.

voluntary service referrals supported the finding of risk of future harm to the child].)

D. *There Was Substantial Evidence the Department Engaged in Reasonable Efforts To Prevent Removal and There Were No Reasonable Alternatives*

Finally, K.B. argues that, "even if the court had actually made a finding, the record does not support a conclusion 'reasonable efforts' were exercised here." K.B. contends there was no substantial evidence that the Department made reasonable efforts to prevent removal and that there were no reasonable alternatives to removal.

But there was. There was evidence the Department made a concerted effort to assist K.B., including arranging for weekly drug and alcohol testing, conducting relevant interviews with appropriate follow up, referring K.B.'s mother (Jerome's current caregiver) to ASFA, and referring K.B. to programs for crime victims. These were reasonable efforts to investigate and address the problems that brought K.B. to the attention of the Department and Jerome to the jurisdiction of the juvenile court. (See *In re H.E.* (2008) 169 Cal.App.4th 710, 725 ["reasonable efforts, like reasonable services, need only be reasonable under the circumstances"].) And, as discussed, given K.B.'s outstanding issues with drugs and domestic violence, there was substantial evidence of the absence of reasonable alternatives to removal.

DISPOSITION

The order is affirmed.

SEGAL, J.

We concur:

PERLUSS, P. J.

ZELON, J.