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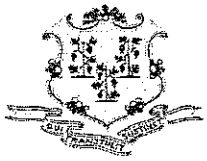

Sarah Healy Eagan
Acting Child Advocate

TESTIMONY OF SARAH EAGAN, ACTING CHILD ADVOCATE FOR THE STATE OF CONNECTICUT, REGARDING H.B. 5304 AN ACT PREVENTING HOMELESSNESS FOR YOUTH UNDER THE CARE OF THE COMMISSIONER OF CHILDREN AND FAMILIES.
March 6, 2014

Good morning Senator Bartolomeo, Representative Urban, Senator, and all distinguished members of the Children's Committee. I am Sarah Eagan, the Acting Child Advocate for the State of Connecticut and I am submitting this testimony regarding the House Bill 5304.

The Office of the Child Advocate responds to citizens' calls for help regarding children, often children with disabilities or those who have been victims of abuse or neglect; reports regarding unexplained and unexpected child fatalities; reviews child-serving systems strengths and gaps and partners with stakeholders to develop and implement recommendations for change.

What would this bill do?

- Prohibit the discharge of youth to homeless shelters, hotels or other temporary arrangements likely to lead to homelessness.
- Require DCF to provide discharged youth with aftercare services for 45 days.
- Provide legal representation for a youth who is subject to involuntary termination of DCF care.
- Ensure that every child has a permanency plan that includes a caring adult resource.

In 2013, Almost 40% of Foster Youth Involuntarily Terminated from Services after DCF Hearing were discharged to "Friends", Shelter, or "Unknown."[1]

Youth in foster care who are 18 or older can be exited from DCF care, including their placement, if they are deemed non-compliant with their service agreement. DCF policy requires the Department to program effectively for a struggling youth prior to sending a "termination of benefits notice." The youth

[1] This figure is based on a records review conducted by the Office of the Child Advocate with data support from the Department of Children and Families in January of 2014.

has the right to an administrative hearing, presided over by an agency employee. The youth does not have the right to counsel. The youth does not have the right to have the hearing in front of a judge.

OCA Review of "Termination of Benefits" Hearings for Foster Youth Reveals Almost 95% of Youth Lose Their Hearings and Their Benefits.

The Child Advocate's Office recently reviewed the number of foster youth who participated in a "Termination of Benefits" hearing between 2010 and 2013 as well as the results of the hearings.

Data revealed 148 youth who sought a hearing prior to losing their placement and supports.
136 youth lost their hearings.

Youth Who Don't Find Families are at High Risk of Homelessness

Youth with APPLA as their permanency goal, for example, are among the most at-risk for homelessness once they are discharged from care.

In CT, per the most recent Federal Court Monitor's report, there were over 600 children and youth with the permanency plan of APPLA, meaning no plan for reunification, adoption, or legal guardianship.

Youth who "age out" of care without permanency experience "high rates of poverty, unemployment, young parenthood, homelessness, and physical and mental health challenges."[2]

Costs of Homelessness are High

The cost of preventing homelessness is dramatically less than the fall-out from homelessness.
For example, "it costs Colorado $53,655 to maintain one youth in the criminal justice system, but it only costs the state $5,887 to permanently move a young person off the streets."[3]

- A major study of youth aging out of foster care in the mid-west by Mark Courtney, et al. showed: by age 19, only 66% of girls and 58% of boys had a high school diploma.[4]
- At age 18, 96% of girls and 94% of boys were enrolled in school, but that percentage drops to the 40th percentile by age 19.
- By age 21, only half of youth are employed and their mean earnings were $13,989.
- By age 19, 32% of girls were also parents.

Research by Chapin Hall, University of Chicago, supports conclusion that by preventing homelessness and supporting housing of youth until age 21, we can increase likelihood of youth pursuing education, increase earnings, delay pregnancy and reduce crime.

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[2] JEANNE A. HOWARD & STEPHANIE BERZIN, NEVER TOO OLD: ACHIEVING PERMANENCY AND SUSTAINING CONNECTIONS FOR OLDER YOUTH IN FOSTER CARE 10 (Susan Smith & Adam Pertman, eds., Evan B. Donaldson Adoption Institute 2011).
[3] http://www.financeproject.org/publications/FinancingHousingSupport.pdf, pg. 8.
[4] Courtney, M., Dworsky, A., Chapin Hall, University of Chicago, Midwest Evaluation of the Adult Functioning of Former Foster Youth.

Several States are Supporting Older Youth Longer to Prevent Homelessness

Over twenty states have amended their Social Security IVE plans to extend foster care to age 21 and draw down federal dollars to offset costs. States also have begun rigorously reviewing case plans for youth that have non-preferred permanency plans of "APPLA" (essentially meaning "Other"—no guardianship, no adoption, no reunification).[5]

New York State law actually prohibits discharge of a youth without identification of an adult resource, or discharge to a homeless shelter or hotel—the same as this Committee's bill describes[6].

States are Increasing Housing Supports for Foster Youth Over 18 years old

As states around the country extend foster care to age 21, systems are necessarily examining how they can provide developmentally-appropriate housing in a cost-efficient way. Housing strategies for older youth include maximization of federal vouchers,[7] Section 8 set asides[8], strategic use of Low Income Tax credits[9], providing case managed housing advocacy and targeted cash assistance[10], public-private partnerships to assist with development of transitional or supportive housing,[11]

Connecticut Has Always Led Efforts to Support Older Youth

Connecticut has long invested in supporting older youth in foster care, extending foster care to age 21 for certain qualifying youth even without additional federal dollars.[12] Connecticut has invested in a number of programs to assist older youth with vocational training, post-secondary education, and community-housing. However, we still have a high number of youth who are "aging out" of foster care without family; and a high number of youth who exit to unstable and temporary housing. We do not yet take advantage, unlike an increasing number of states, of the full opportunity potentially presented by the Federal Fostering Connections to Success Act to develop a continuum of developmentally-appropriate supports for older youth. We currently serve youth who are in school or job training, but federal law now permits reimbursement for serving other youth as well: youth who are engaged in positive programming, youth who are working, and youth are medically unable to participate in school or work. While Connecticut examines the relative benefits of joining the states that have broadly

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[5] See Report by the American Bar Association, House of Delegates, pg. 5-7, found on the web at http://www.americanbar.org/content/dam/aba/directories/policy/2014_hod_midyear_meeting_109a.authcheckdam.docx

[6] New York has enacted language that no child may be discharged from foster care to homelessness[6]. New York law also provides that youth discharged to APPLA experience a trial discharge of six months See 18 NY ADC section 430.12 (3) (c). See also Maryland Child Welfare Policy, DHR, Policy #SSA-10-06; See also Maryland Department of Human Resources Title IV-B Child and Family Services Plan 2013 Annual Progress and Services ReportP.118 available at: http://www.dhr.state.md.us/documents/Data%20and%20Reports/SSA/2013%20Child%20and%20Family%20Annual%20Progress%20and%20Services%20Report/2013.MD.APSR.pdf

[7] Connecticut has historically worked with this program to receive vouchers.

[8] See New York Housing strategies, www.nyc.gov/html/acs/html/support_families/housing.shtml#3.

[9] See www.hud.gov/offices/fheo/lihtcmou.cfm.

[10] http://www.financeproject.org/publications/FinancingHousingSupport.pdf, pg. 17.

[11] California e.g., see http://www.financeproject.org/publications/FinancingHousingSupport.pdf, pg. 19.

[12] C.G.S. 46b-129.

extended foster care to age 21, we must, at a minimum ensure that we are not discharging our most vulnerable youth to homelessness.

Section 3 of this bill pertaining to permanency plans should be amended to align with national standards for youth whose permanency plan is Another Planned Permanency Living Arrangement (APPLA).

We respectfully request that this Committee consider amending the proposed language to include a provision requiring DCF to document that a youth's permanency plan include a significant connection to an adult who is willing to be a resource for the child.

Thank you very much for your consideration.

Sarah Healy Eagan, J.D.

Acting Child Advocate, State of Connecticut

LANGUAGE SUGGESTION:

SECTION 46B-129(K) (2) OF THE GENERAL STATUTES AS AMENDED BY THIS ACT.
(2) At a permanency hearing held in accordance with the provisions of subdivision (1) of this subsection, the court shall approve a permanency plan that is in the best interests of the child or youth and takes into consideration the child's or youth's need for permanency. The child's or youth's health and safety shall be of paramount concern in formulating such plan. Such permanency plan may

2) At a permanency hearing held in accordance with the provisions of subdivision (1) of this subsection, the court shall approve a permanency plan that is in the best interests of the child or youth and takes into consideration the child's or youth's need for permanency. The child's or youth's health and safety shall be of paramount concern in formulating such plan. Such permanency plan may include the goal of (A) revocation of commitment and reunification of the child or youth with the parent or guardian, with or without protective supervision; (B) transfer of guardianship or permanent legal guardianship; (C) long-term foster care with a relative licensed as a foster parent; (D) filing of termination of parental rights and adoption; or (E) another planned permanent living arrangement ordered by the court, provided the Commissioner of Children and Families has documented a compelling reason why it would not be in the best interests of the child or youth for the permanency plan to include the goals in subparagraphs (A) to (D), inclusive, of this subdivision , AND PROVIDED THAT SUCH PLAN INCLUDES A SIGNFICANT CONNECTION TO AN ADULT WHO IS WILLING TO BE A PERMANENCY RESOURCE FOR THE CHILD. Such other planned permanent living arrangement may include, but not be limited to, placement of a child or youth (i) in an independent living program, or (ii) in long term foster care with an identified foster parent.