

Center for Children's Advocacy

**TESTIMONY OF THE CENTER FOR CHILDREN'S ADVOCACY
TO THE JOINT COMMITTEE ON CHILDREN
IN SUPPORT OF
S.B. 306: AN ACT ESTABLISHING AN INDEPENDENT DEPARTMENT OF
CHILDREN AND FAMILIES OMBUDSMAN**

February 5, 2015

Senator Bartolomeo, Representative Urban, Senator Bye, Representative Hampton, Senator Martin, Representative Kokoruda, and members of the Committee on Children:

This testimony is submitted on behalf of the Center for Children's Advocacy, a non-profit organization affiliated with University of Connecticut School of Law. We urge you to pass **S.B. 306**, An Act Establishing an Independent Department of Children and Families ("Department" or "DCF") Ombudsman. The Center supports this Act because it **requires the designation of an independent ombudsman to receive and review complaints and grievances from children under the care and custody of the Department of Children and Families. It also requires the ombudsman to maintain a record of complaints, including a description of any investigation, findings, recommendations and agency responses that shall be made available to the Child Advocate and, when appropriate, the Connecticut Juvenile Training School advisory group.** Too many children lose their voices when they enter DCF care, and as a result, systemic deficiencies within the Department remain unreported and unaddressed. For these reasons, it is essential that Proposed Bill 306 is passed.



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Proposed Bill 306 Will Ensure that Children in DCF Care Have Their Complaints Heard, Investigated, and Reported Independently of DCF

Children under the care and custody of the Department of Children and Families have been removed from their homes and assigned a DCF worker who is a stranger to them. Suddenly, this stranger is tasked with doing what is in the "best interest" of the child in terms of placement and services. Sometimes a placement or service is chosen not because it is the perfect match, but because it's what is available, or because the child has already been waiting for so long. Other times, what seems adequate at first may turn out to be contrary to the child's needs. But when this occurs, who does the child reach out to?

At the present time, there is a DCF Ombudsman whose role is to receive complaints about the Department. However, this person reports internally, to the Director of Quality and Planning, who in turn reports directly to the Commissioner of DCF.¹ Under the current scenario, the child, child's family, or child's attorney has no independent resource to which they can voice concerns about the child's care. While the Court Monitor implements systemic change, he does not and cannot address individual complaints. Furthermore, the

¹ DCF Agency Overview Organizational Chart, CT.GOV (Nov. 2014), http://www.ct.gov/dcf/lib/dcf/agency/orgchart/org_chart.pdf.

independent watchdog agency, the Office of the Child Advocate, does not have the staff to create this position.² Notably, DCF's counterpart in juvenile justice, the Court Support Services Division (CSSD) of the Judicial Dept., has an independent ombudsman.

DCF's Failure To Meet Its Goals Has Negatively Affected Children, Who Have No Independent Party To Turn To

According to the DCF Court Monitor, as of the last quarterly report, the Department had not met nine of its 22 outcome measures at the end of 2014, including "Children's Needs Met," "Case Planning," and "Child-Worker Visitation In-Home."³ As of January 22, 2014, 77 DCF staff were over the maximum caseload limit, and many more were at or close to the maximum.⁴ Furthermore, due to changes in the workforce, including a reduction in staffing and lack of sufficient hiring, hundreds of cases have been re-assigned to new workers—meaning children who have already lost their sense of stability and have begun to get used to one worker suddenly find themselves with yet another stranger entrusted with their care.

This "has a detrimental impact on the permanency and well-being outcomes for the children and families being served."⁵ Some of the negative impacts are as follows:

- Only 46.3% of case plans were approved and shared with a family within the mandated 25-30 days, below the 90% goal⁶
- Only 64.8% of cases had all needs met, below the goal of 80%⁷
- 17 children were in DCF care for 6 or more months with no permanency goal⁸
- 10 children were in DCF care for 15 or more months with no permanency goal⁹
- 70% of all children in STAR homes and 94% of all children in SAFE homes were on overstay status¹⁰

These children, and those that serve them, including their families and attorneys, need an independent, unbiased source to report their concerns about the Department and how the Department is failing to meet their needs.

An Independent Ombudsman will Improve the Care of Individual Children and Children Under DCF's Care as a Whole

The establishment of an **independent** ombudsman, to replace the existing Department Ombudsman, would provide the ability for children in DCF care to share why they are

² Other states, such as Massachusetts, have incorporated this position into the Office of the Child Advocate. See *Children's Ombudsman Offices*, Nat'l Conference of State Legislatures (Sept. 3, 2014), <http://www.ncsl.org/research/human-services/childrens-ombudsman-offices.aspx>.

³ DCF Court Monitor's Office, *Juan F. v. Molloy Exit Plan Quarterly Report July 1, 2014 – September 30, 2014*, Civil Action No. 2:89 CV 859 (SRU) (Jan. 2015) at 5.

⁴ *Id.* at 4.

⁵ *Id.*

⁶ *Id.* at 6.

⁷ *Id.*

⁸ *Id.* at 43.

⁹ *Id.*

¹⁰ *Id.* at 7.

unhappy with an aspect of their care, whether it relates to their worker, their placement, or their services—with someone unbiased who does not report directly to the Commissioner of DCF. The establishment of an independent ombudsman will not only help improve that individual child's time in DCF care, but will also help to identify and stop systemic practices that are negatively impacting children across the state in the care of DCF. In a time in a child's life when so many decisions are made for her, the child should know that she has the right to complain to somebody outside of DCF who will give her feelings weight and perform an independent investigation.

In closing, the Center for Children's Advocacy urges the Committee to pass Proposed Bill 306. This bill provides **children in DCF care the necessary resources to ensure that their complaints are investigated independently and that the quality of their care can improve.**

Thank you for your time and consideration.

Respectfully submitted,

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