

**STATE OF CONNECTICUT
OFFICE OF THE CHILD ADVOCATE
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Acting Child Advocate**

**OUTLINE FROM THE OFFICE OF THE CHILD ADVOCATE FOR
THE STATE OF CONNECTICUT
APPROPRIATIONS COMMITTEE**

February 15, 2023

STAFFING, RESPONSIBILITIES, AND ACTIVITIES OF THE OCA

The Office of the Child Advocate is an independent state agency charged with responding to citizen concerns, investigating complaints, and publicly reporting regarding the efficacy of publicly funded services for children. The OCA has general responsibilities to advocate for individual families and investigate complaints that indicate a system concern. The OCA has specific responsibilities regarding child fatality review and auditing of conditions of confinement for incarcerated children and youth. As the State's Child Advocate for the past 9 years, I appreciate the legislature's commitment to the work of the OCA and the children and families we serve.

FTEs—8

- Child Advocate: Directs systemic investigations, assists with development of public reports and letters, conducts legislative and systemic advocacy, and directs office communications.
- Associate Child Advocate: Advocates for individual children; conducts systemic advocacy; assists with facility investigation; helps manage office operations.
- Assistant Child Advocate: Facility Investigator and project lead for auditing conditions of confinement for detained and incarcerated youth age 15 to 22.
- Assistant Child Advocate: Manages intakes involving children with complex mental health and developmental needs; advocates for individual children; assists with facility and program investigation.
- Assistant Child Advocate: Child Fatality Investigator and staff for the State's Child Fatality Review Panel.
- Human Services Advocate: Assists with Child Fatality Review.

- Human Services Advocate: Speaks directly with families who are calling for help with a child in need.
- Staff Attorney: Addresses legal issues facing the office; conducts special education individual and system reviews; assists with development of investigative reports.

RESPONDING TO CITIZEN CONCERNS

OCA receives between 300 and 500 calls annually from individuals seeking advocacy for children and families. Issues of concern span multiple systems: child welfare, special education, disability supports, children's mental health, and juvenile justice.

- OCA provides all callers with advice and referral, and OCA opens hundreds of cases for direct advocacy or investigation.
- OCA utilizes a list-serve to better inform stakeholders, legislators and the public regarding developments and information affecting children's rights.
- OCA staff conduct regular trainings regarding special education, child welfare issues, suicide prevention and other issues related to child fatality prevention.

CHILD FATALITY INVESTIGATIONS-- OCA Requests One additional FTE for Child Fatality Review

OCA is a permanent member and the co-chair of the state's Child Fatality Review Panel (CFRP), created by C.G.S. 46a-13(l). OCA's previous lead for child fatality investigation retired in 2022 after more than 20 years in this role. OCA is the only entity with statutory authority to investigate child fatalities in the state. OCA provides the staff support for the CFRP.

In 2022, OCA published the following reports regarding unexpected child deaths and critical injuries in Connecticut.

- *OCA 2021-22 Annual Report with Child Fatality Summary*
- *OCA Investigative Report: The Death of Alex M. in DCF Foster Care.*

OCA is currently working on the following systems reviews:

- *Death of Older Youth Age 18 to 21 From Preventable Causes: Multi-Year Period*
- *Death of Infants-Toddler From Preventable Causes: Multi-Year Period.*
- *Death of Infants and Toddlers from Fentanyl Intoxication: 2020 to Present.*
- *Death or Critical Injury to Children in Families who are Involved with State Agencies—Safety Practice and Public Reporting*

OCA has two full time employees dedicated to child fatality review and who staff the state's Child Fatality Review Panel. Child fatality review requires extensive records review and data analysis for more than 150 deaths of children each year. There is much to be learned from child and youth death review, both from an investigative and public health standpoint. Additional reporting is needed to ensure transparency and accountability for the deaths of children by homicide and the deaths of children whose caregiver's case was open with a supervising state agency.

OCA respectfully recommends that it receive a portion of the federal dollars allocated to the state via the federal Child Abuse Prevention and Treatment Act (CAPTA)¹ to add a staff member (Children's Services Consultant) to the OCA's child fatality review team to support this work and enhance the public and policymakers' access to information. CAPTA requires states to provide for the public disclosure of findings or information regarding a case of child abuse or neglect which results in a child fatality or near fatality. OCA does not currently receive any of the state's CAPTA funds. However, the additional position requested would enable OCA to assist with the reporting required by CAPTA.

FACILITY INVESTIGATION—OCA Requests One Additional FTE for Facility Investigation

OCA responds to concerns regarding the safety and well-being of children in state-funded, state-licensed or state-operated settings. In 2022, OCA activities included the following:

Ongoing auditing of conditions of confinement for incarcerated youth age 15 to 22 across the state. This work is multi-faceted and encompasses site visits to several facilities run by the CT Judicial Branch Court Support Services Division and the Department of Correction; meetings with youth; interviews with staff and administrators; extensive records review (medical, education, clinical, video). OCA has published two reports since 2019 which have documented concerns about conditions for youth, particularly those youth held in DOC Custody: inadequate mental health care and rehabilitative programming, use of chemical agent with youth who have psychiatric disabilities, use of in-cell restraint, and extensive use of prolonged isolation as a population and behavior management tool. OCA's reporting led to an investigation by the United States Department of Justice into conditions for minor boys in DOC custody. The state remains in settlement negotiations with the U.S. Department of Justice to resolve findings by the DOJ that conditions for minor boys in DOC custody violate rights guaranteed by the United States Constitution.

OCA's work needs more staff and resources. Historically OCA has one Assistant Child Advocate assigned to routine facility investigation, which in recent years due to the new statutory mandate, is dedicated solely to review of conditions of confinement for incarcerated youth. Lack of staffing also negatively impacts our ability to review conditions for children in other facilities subject to OCA oversight such as group homes, the Solnit Center, and the state's four psychiatric residential treatment facilities for children.

During this last year as OCA has worked to audit conditions for all young adults age 18 to 21 incarcerated across multiple DOC facilities. OCA has relied on a recently retired staff member agreeing to come back on a part-time basis (time limited) to help with this work. OCA is respectfully requesting additional resources to support this statutory mandate.

ADDITIONAL SYSTEMIC INVESTIGATIONS AND ADVOCACY EFFORTS

- Arrests of children 12 and under—ongoing following OCA's 2020 report into 911 calls by Waterbury Public Schools.
- Adult Sexual Misconduct—ongoing following OCA's multiple public reports regarding sexual harassment or abuse of children in schools.

¹ Child Abuse Prevention and Treatment Act (CAPTA), as amended (42 U.S.C. 5101 et seq.) - 106(b)(4)(A)

- Strengthening the Children’s Mental Health System—ongoing. OCA meets regularly with family advocates, mental health providers, and other stakeholders to review availability of services for children.
- Investigation of DDS framework for ensuring safety of children and vulnerable individuals in licensed settings--ongoing. OCA is completing an investigation into a critical incident that raises system concerns as to the adequacy of oversight, transparency and accountability for the state’s licensed programs for persons with intellectual and developmental disabilities.
- Inequitable Education for Children With Disabilities, Age 3 to 5—ongoing. OCA completed two investigations in 2022 and filed systemic complaints with the State Department of Education on behalf of children in two Connecticut school districts.

Respectfully,

Sarah Healy Eagan, JD

Child Advocate, State of Connecticut