

The Digest of Administrative Reports to the Governor

Fiscal Year 2021-22

Agency:	Office of the Child Advocate/Office of Governmental Accountability
Agency Head:	Sarah Eagan, Child Advocate
Deputy Head:	Mickey Kramer (retired as of 2/28/2022), Associate Child Advocate
Established:	1995
Statutory Authority:	C.G.S. § 46a-13K, et seq.
Central Office:	165 Capitol Ave., Hartford, CT 06105
Number of Employees:	8
Operating Expenses:	\$851,731 (Anticipated FY 2023) (OCA/CHILD FATALITY)

Designated as a division of the OGA, the OCA maintains its independence and statutory authority/responsibilities. The office's administrative functions were transitioned to the Department of Administrative Services' SMART unit in 2016.

Mission

The Office of the Child Advocate (OCA) was created in 1995 to serve as an independent voice for children rather than an administrator of programs. OCA's mission is to oversee the care and protection of Connecticut's children and to advocate for their well-being. OCA is committed to ensuring that all children receive the care and supports that they need.

Statutory Responsibilities

The OCA's statutory responsibilities include: evaluating the procedures for and the delivery of state-funded services to children; investigating inquiries or complaints about services for children; recommending changes in state policy; conducting programs of public education, legislative advocacy and proposing systemic reform; reviewing conditions and procedures of all public and private facilities where children are placed; investigating conditions of confinement for incarcerated youth age 15 to 21; providing training and technical assistance to children's attorneys; serving on the Child Fatality Review Panel (CFRP), and conducting a fatality review when child dies due to unexpected or unexplained causes, in order to identify trends and patterns of risk, facilitate development of prevention strategies, and improve coordination of services for children and families in the state.

Public Service

OCA continues to shine the light on the needs and circumstances of children in Connecticut, and works to bring about necessary change for children and families. Specific reviews and investigations assist the OCA in identifying systemic issues and such investigations often shape OCA's public policy and legislative advocacy. OCA shares its public investigative reports, public health alerts, issue briefs and other relevant educational information through a listserv, distribution to relevant legislative committees, and on the OCA website (www.ct.gov/oca/).

ACHIEVEMENTS/IMPROVEMENTS FOR FISCAL YEAR 2021-22

Ombudsman Activities

Between July 1, 2021, through June 30, 2022, the OCA responded to nearly 350 individual and systemic complaints regarding the provision of state-funded services to vulnerable children. The OCA responds to inquiries and concerns from family members, health/mental health care providers, school personnel, foster parents, attorneys, legislators, and employees of public agencies, as well as youth who are seeking assistance.

In most case intakes OCA provides information and guidance in how to effectively navigate the state's often complex service systems. When the concerns presented are more complex concerns about unmet needs of vulnerable children, OCA's investigation and advocacy efforts may include record reviews, program visits, and communication with state and community-based agencies to ensure the needs of children are appropriately assessed and addressed.

Frequent issues addressed or investigated by the OCA this year included:

- Lack of access to appropriate special education and related services for children with disabilities in the least restrictive environment.
- Children on discharge delay in hospitals who cannot access necessary care in the community.
- Safety or permanency concerns for children who have experienced abuse/neglect.
- Children and older youth in the justice system who are struggling to find a place to live with a consistent and caring adult and necessary supports
- Lack of timely and available services for children with intellectual and developmental disabilities.
- Children experiencing bullying and harassment.

Child Fatality Prevention/Child Safety

- OCA continues to co-chair and staff the state Child Fatality Review Panel (CFRP), meeting monthly with a multi-disciplinary panel to review unexpected and unexplained deaths of CT's children reported to the Office of the Chief Medical Examiner (OCME) and develop strategies for fatality prevention.
- OCME reports unexpected and untimely deaths of children to the OCA. From January 1, 2021, to December 31, 2021, 81 child fatalities were determined by OCME to be Accidents, Homicides, Suicides or Undetermined.
- In March 2022, the OCA published investigative findings and recommendations regarding the death of Alexander Medina, a 17-year-old boy who was committed to DCF custody at the time of his death. Alex died from injuries sustained from a motor vehicle crash allegedly caused by his foster father, a licensed DCF foster care provider and a previous licensed community provider for the Department of Developmental Services (DDS). OCA found that there were several concerns raised or investigated over the years by DDS and then DCF regarding the foster father's drinking and capacity to safely care for children or vulnerable adults. OCA determined that these concerns were, collectively, inadequately investigated and followed up on, and that essential information regarding the foster father's ability to provide safe care was not thoroughly communicated between state and local agencies.
- OCA made several recommendations to DCF and DDS to improve and standardize the way state agencies maintain, obtain, and share records and information regarding licensed caregivers and prospective licensed caregivers for vulnerable populations.

- In addition to its investigatory work and publications, OCA actively participates on several local and national committees, taskforces, and working groups focused on prevention efforts for children at risk of intentional and unintentional injuries/fatalities.

Facility Oversight And Investigation

The OCA staff visit children and youth in both public and privately operated settings including, but not limited to, hospitals, residential treatment programs, detention, correctional facilities, and both public and private school classrooms. OCA's authority allows our staff to meet with children and youth, assess their environment of care, observe care and treatment, interview program staff and administration, and review both program and child-specific records in order to appreciate the true experience of the children and families served.

- OCA continuously monitors conditions of confinement for youth age 15 to 21 detained or incarcerated in the juvenile and adult criminal justice systems. OCA audits youth's access to education, mental health, rehabilitative, and community integration services. OCA is obligated to publicly report on these conditions every two years. OCA's next report is due in early 2023.
- OCA continues as an active member of the legislative Juvenile Justice Policy and Oversight Council (JJPOC) and the Council's Incarceration Subcommittee.
- OCA continues work to ensure transparency and accountability for state-licensed and state-operated psychiatric facilities and programs for children. In 2021, after OCA issued a 2018 report on the suicide of a 16-year-old at the state-run Solnit Center and worked closely with the state legislature on program reform, the legislature passed Public Act 21-02, which requires the Solnit programs to be licensed by the Department of Public Health (DPH). OCA continues to engage in monitoring and periodic review of quality management reports specific to the Solnit Center, and DPH recently reported to OCA that progress is being made towards licensure of the Solnit programs.
- In March 2022, DCF launched phase one of the public-facing database required by Special Act 19-19, which for the first time includes public information on licensing inspections and corrective actions for agency-licensed programs for children. OCA had participated in a working group with DCF and private providers to help develop this database. More work remains to ensure comprehensive information regarding the quality of these programs is available to consumers and the public.

Educational Advocacy/Investigation

- During the 2021-2022 fiscal year, the OCA assisted families in accessing disability support services, summer programming, early intervention services, and delivery of services in the least restrictive environment. During its reviews, the OCA participated in Planning and Placement Team (PPT) meetings, resolutions sessions, and early stages of dispute resolution as advocates for students in cases in which a public-school district's policies, procedures, and/or practices were not in conformance with state and/or federal law or best practices.
- During this reporting year, the OCA completed systemic reviews/investigations of the West Hartford, Hartford, Middletown, Thomaston, Meriden, and New London Public Schools. All of the reports, letters of findings, and/or program concern resulting from OCA's reviews/investigations are available on its website and are copied to relevant state and federal authorities (e.g. State Department of Education, U.S. Office for Civil Rights) as applicable.

Legislative Advocacy

- OCA continues to serve as a resource to legislators as they review matters related to child safety and well-being across all child serving systems. OCA responds to legislators' individual requests for information and assistance and actively participates on multiple legislative working groups.
- In the 2021 Legislative session, OCA provided testimony on more than three dozen bills covering topics such as child fatality prevention, oversight of the children's mental health system, preventing and responding to Adult Sexual Misconduct in schools, and improving conditions of confinement for incarcerated children.
- OCA sought and obtained changes to the Office of the Child Advocate's own statutory framework to 1) extend whistleblower protections for those that make complaints to this office; 2) ensure timely delivery of records to the OCA; and 3) re-establish the OCA advisory committee to ensure independent evaluation and review of the Office's effectiveness.
- OCA sought and obtained a change in state law to become a member of the state's Alcohol Drug and Policy Committee. The OCA will work to ensure that critical issues affecting children are considered by this policy-making group.

Respectfully submitted,

Sarah Eagan, Esq.

Child Advocate