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**Committee on Child Protection
William M. Young Testimony**

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I appreciate the opportunity to offer testimony to the Committee and greatly appreciate the work that you are doing and the complexity of the task before you. I offer my brief testimony based on my own experience of 13 years in Corrections, 20 years in Social and Rehabilitation Services (2 as the District Director of Social Services in White River Jct. and 18 as Commissioner) and almost 10 years working in addiction treatment as the Executive Director at Maple Leaf Treatment Center.

I will carry many of the stories and pictures of the worst that can happen to children with me all my life, just as I carry a tremendous respect for the courage and resiliency of children who often recover and go on to succeed in life in spite of their experiences with abuse and neglect.

I am painfully aware that sometimes children die and others are terribly abused in spite of everything being done right. But a child's death should mean something besides a funeral. We honor a child's life and their death by a rigorous review of what happened. And we must be willing to be brutally frank with ourselves and the entire system in that process. Are there issues of resources or law and policy that are the responsibility of the Legislature and Administration? Are there policies and practices that agency leaders oversee? What did the social worker do in the context of workload, policy and law? Sometimes good people make mistakes. Sometimes what was done may be incompetence or worse.

And while we all have a responsibility to protect our state's children and to ensure that our system's are functioning as they should, sometimes we do need to keep in mind that the person responsible for the child's death is the one who killed them..

I have been out of the child protection business for 10 years, and the law, policy, practice and organization have changed since my tenure as Commissioner. As a result there are many aspects of the Committee's work that I do not feel qualified to comment on and won't. I do have some suggestions that may be helpful. They are as follows:

1. Clarify That the Mission of the Child Protection Agency is to Protect Children: In many ways this flows from the placement of child protection within a much larger Department. Many of the functions of DCF are related to supporting adults and families – thus the emphasis, at least in part, on mission to support and strengthen families. But the mission of a child protection agency is not to support and strengthen families. The mission of a child protection agency is to protect children.

Since most children remain in their own home or return to it, programs to support and strengthen families are a vital tool for a child protection agency. But they are a means to an end, not the end. Programs that work with parents often become advocates for those parents, sometimes to the detriment of children. It is understandable. Yet when the Child Protection Agency is largely composed of those programs, it can weaken the sense of mission of child protection. Policies and practice may shift towards supporting parents. Social workers and others are very sensitive to such shifts as well.

The first and the last questions you should ask when making a decision about a child, or a policy regarding child protection, are:

- Is this the best way to protect this child?
- Is this in the child's best interest?

All this is driven by a clear and undiluted sense of mission: The mission of a child protection agency is to protect children.

2. Place Child Protection in a Separate, Smaller Administrative Structure: The leader of a child protection organization must have the time to focus on child protection. I've known and worked with David Yacovone and Steve Dale before him for many years. They are two of the hardest working and most competent people I've ever known. But they did not and do not have the time to pay attention to child protection in the way that I did in a much smaller agency.

DCF is a huge agency. Child Protection is a small part of it. In general money and the programs it supports drive the agency head's time. The Administration and Legislative process and magnitude of programs require it.

In a smaller agency I had the time to annually and separately meet with groups of people who work for or are served by the Department in every District: social workers, foster parents, adolescents in custody, and group home staff; monthly with the Foster and Adoptive Parent Association, periodically with an Advisory Board of kids in custody, in addition to other meetings and conversations with these people on many other occasions and with other individuals and groups.

In these and other ways I had time to know in detail how things were going. And when you are able to do that, you also have a statewide network of people who feel comfortable calling you when they think something is wrong, whether it is with a specific case or a program in financial trouble, or high caseloads or anything else.

Like anything else, if you can pay attention, things are more likely to go well. With the very best of intentions and competence, I do not believe any DCF Commissioner can do that. I am too long out of the business to knowledgeably suggest specific organization change. I realize that there are benefits to combining these many programs under one roof (or the reorganization would not have happened). But I do think that experience has shown that there should be a change in structure.

3. Parental Addiction Should Be Considered a Risk Factor in Child Protection Cases: This is one of the many heartbreaking outcomes of addiction. I know from my work at Maple Leaf that many people are able to find and maintain recovery from addiction to alcohol and other drugs, including opiates. Yet there is no question about addiction being a risk factor that should be considered in child protection cases. It is a chronic disease and relapse is a characteristic of chronic diseases.

Certainly the specifics of each case will differ and the risk will change accordingly. Is the responsible adult a single parent? How old is the child? Is the other parent also an addict, or are they non-users who are very careful about their child's safety? Does the addict have a history of driving with the children while impaired? Has abuse or neglect been identified? All these and other questions must be answered according to each situation.

For the parent struggling with addiction under high risk circumstances, for example; an actively using single parent with an infant, a history of years of use and no other resources regarding assistance with their child, custody should be seriously considered. And Vermont should change its policy to permit intervention with pregnant and addicted mothers. The opiate epidemic makes new services and policy even more essential.

Parents in such circumstances should be clearly and immediately told that the clock is ticking on the likelihood of losing parental rights unless there is an immediate engagement in treatment and sobriety due to the high risk to an infant, the need to be raised in a safe, stable environment, and the need, particularly with a very young child, for permanency. While we must provide a high quality, integrated and responsive system of treatment for parents and all who are addicted, we should also keep in mind the finding of the Vermont Supreme Court that: "A child is not a reward for good behavior."

The need for services is compelling, but surely it is clear that addiction must be considered as a risk factor.

4. Establish Independent Assessment of Child Protection's and the Court's Performance in Protecting Children: In general we have always viewed the court system as the oversight mechanism for the most serious child protection decisions – to remove a child from their parents or to return them; to place them in the custody of the State and to terminate parental rights. Most of the time that works pretty well, but not always.

In addition the child protection agency also is overseen by the federal government through audits that assess a wide variety of practices and casework measures, in addition to internal audit and review and the ability of the Administrative branch of government to conduct reviews in specific cases.

I believe that in cases of a child's death, there should be no confidentiality and all information should be available to the legislature and to the public, hopefully in a way that is sensitive to any criminal prosecution.

But I do not support public disclosure of the details of other child protection cases. I think of the many cases I have seen where unspeakable things were done to a child. And I think of the many people I know, now adults who survived that abuse, some raising their own children, working, living and contributing in their communities. I just can't accept that it's a good idea, in this age of social media, for it to be possible for everyone in that person's community to know in great detail what was done to them. In my experience I have seen people, including children, be incredibly cruel to victims of abuse.

I come back to the questions: Is this the best way to protect this child? Is this in the child's best interest? I think the answer is that such disclosures are not. If we then go on to a broader public interest of the public in knowing how well their children are protected, I think the answer is not to leap at the easy way – just opening all court cases to the public, but rather to establish other means of reviewing how the child protection agency and the courts handle such matters. It's a matter of doing what's right rather than what's easy.

There is undoubtedly any number of reasonable methods of doing so while protecting the confidentiality of specific individuals. And the courts should have within the court system a similar mechanism, independent of the administrative branch, which would permit the public to know how our courts and judges are functioning regarding child protection.

This should not be an appeal mechanism, but rather a public assessment of performance and recommendations for improvement. It should be a resource for managers, administrators, line workers, judges, the Legislature and the public – an independent, impartial review whose purpose is to ensure that we are protecting our children and that they and those they live with are getting the services and supports that they need.

In closing, it is my personal belief that the single most important way to protect children is to ensure that, first, the agency structure permits a main focus on child protection services, and second, that everyone from the Legislature and the Governor to the line Social Workers understand that the mission of the Child Protection Agency is to protect children and that all laws, policy, practice and decisions pass through that filter.

I hope that my comments are helpful and wish you well in your complicated task.

