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To: Members of the House Government Operations
From: Trine Bech, Executive Director
Date: February 2, 2016
Subject: Testimony on H.522

Thank you for inviting me to comment on H.522. The Vermont Parent Representation Center, Inc. (VPRC) provides advocacy and legal and social support services to parents at risk of having their children removed. Our Mission is *“To ensure through advocacy and support that children who can live safely with their parents are afforded a real opportunity to do so.”* At the service level we fulfill our mission through the Rapid Intervention Pre-Natal Project (RIPP) a collaborative venture. RIPP, for the last two years, has filled legal and service gaps with team-based, supportive interventions in which pregnant women and parents of young children in treatment for opiate addiction have accessed desperately needed help. The research and evidenced based recovery and trauma oriented approach providing safety and trustworthiness, client choice, partner-consultant relationships, self-direction and empowerment has achieved strong outcomes for the most impoverished and challenged parent population. As VPRC’s founding Executive Director I come to this child welfare table from almost 40 years of representing children and parents in the legal system, chairing the Vermont Legislatively created Family Proceedings Advisory Committee in the 1980s which laid the groundwork for establishing the Family Court in 1990, serving as the Acting and Deputy Director (Commissioner) of the child welfare system in Delaware, and in the Executive branch of the child welfare system in Philadelphia. From every angle I look, our current child welfare system is in crisis and in need of major changes. So how do we do it?

One major component will be to establish a Child and Family Ombuds Office contemplated in H. 522. Many others have thoughts about what the purpose of this office should be, but the current legislative draft is not clear. The purpose should be to ensure accountability for our public child welfare system, Department for Children and Families; to prevent violations of law and policy and safeguard Vermonters’ rights. The intent should be to provide a safe, responsive and effective space to address complaints where families who need services but are not getting them; where families in the child protection system are not getting their needs addressed, feel shamed, blamed and judged; where the expectations of the system which determines removal or reunification of children are based on middle class standards and little or no help is provided in how to meet them; and where disrespect including name calling is every day behavior. There is currently no effective way for these families to have their grievances addressed and for the system to improve based on data.

The most important lesson learned about what powers are needed for this Office is that it be a **neutral and independent** entity. An office where all involved in the child welfare system, or need services to avoid such involvement, can register their issues and file formal, confidential complaints without risking retaliation from the system itself. A place where complaints will get a response, where data is gathered, analyzed and then reported out to the public, the legislature and the numerous child welfare stakeholders including the judiciary, the Attorney General, Defender General, State’s Attorneys. These powers go beyond just child protection advocacy but need to include resolving complaints, propose redress for the families and provide recommendations to improve our child welfare system. Key features to the effectiveness of this office must be to be outside the chain of command, i.e. an independent office; impartial, confidential for the people who make complaints, and have access to confidential information. In addition, this Office must be accountable as well

and have its own performance measures under Results Based Accountability so we can all measure its effectiveness.

The Mission of the Office in the State of Washington describes the necessary essence: (see http://ofco.wa.gov/documents/interagency_ofco_dshs.pdf page 1.)

“The mission of the Office of the Family and Children’s Ombudsman is to protect children and families from harmful agency action or inaction, and to inform the Governor, Legislators, and state policy makers of problems in the child protection and welfare system that need to be addressed. OFCO identifies problems through its investigation of complains, by analysis of facts and the application of law, policy, procedure, and best practices for child welfare, and takes appropriate action as necessary”.

What is clear is that we need something very different than just adding more DCF workers to our system. We have tried that before and it did not improve our child welfare outcomes. We need a neutral and independent entity which will find patterns of problems, publish systemic reports to promote agency accountability, educate the public and induce corrective action. The advocacy training component of H.522 is beyond what a small office can do and should be eliminated. We should address only what we now lack in Vermont - an effective systemic way to improve our child welfare system.