

**Office of the Child Advocate
Annual Report
2018**



**State of Rhode Island
Office of the Child Advocate
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Introduction

The Office of the Child Advocate is issuing this Annual Report in compliance with R.I.G.L. § 42-73-6 and R.I.G.L. § 42-73-2.1. This report constitutes a public record under Rhode Island General Laws 30-2-(d)(16). This report is in conformity with the Office's confidentiality obligation mandated by Rhode Island General Laws 42-73-1 et seq.

The Office of the Child Advocate (OCA) is an independent, autonomous state agency charged with the responsibility to provide oversight to the Department of Children, Youth and Families (DCYF or the Department). DCYF is the sole child welfare agency for the state of Rhode Island. The OCA is responsible for monitoring the operation of each unit within the Department and must ensure their compliance with internal policies and protocols, state law and federal law. In addition, the OCA must continue to monitor overall issues and trends to ensure that each of these units are operating within the best practices of child welfare and to inform whether any systemic change is needed and necessary. This responsibility includes providing oversight to all 630+ DCYF employees and outside service providers, sub-contracted through DCYF.

Furthermore, the Office of the Child Advocate monitors each child open to DCYF, to protect the legal rights of children in State care and to promote policies and practices which ensure that children are safe, that children have permanent and stable families, and that children in out of home placements have their physical, mental, medical, educational, emotional, and behavioral needs met. The Office of the Child Advocate is responsible for providing oversight to each of these children's cases. The OCA has the right to meet with and speak to any child, regardless of their current placement, if the child is open to the Department. The OCA also has the right to intervene in any case to ensure that proper steps are being taken to secure the child's health and safety. Fulfilling this important role is accomplished through numerous mechanisms including but not limited to site reviews of facilities licensed by the Department, legal intervention, independent investigations, monitoring the CPS call log, inquiries, legislative advocacy, policy review and reform, the review of child fatalities and near fatalities and more. The Office of the Child Advocate was also named the Federal Monitor to the Children's Rights Lawsuit.

The OCA staff is dedicated to ensuring the best interests of children in state care and will continue to do all that is necessary to ensure that children are receiving quality care, appropriate services, necessary supports and access to a quality and consistent education.


Jennifer Griffith, Esquire

Mission Statement

The mission of the Rhode Island Office of the Child Advocate (OCA) is to protect the legal rights of children in State care. To promote policies and practices, which ensure that children are safe and to make certain that children have permanent and stable families. To ensure that children placed out of their home have their physical, mental health, medical, educational, emotional and behavioral needs met.

Statutory Authority

The chief purpose of this Office is to provide oversight to the operations of the Department of Children, Youth and Families (DCYF or the Department). Children are placed in the care of the Department for a variety of reasons, but most often because their parents are unable or unwilling to care for them. Many are victims of abuse and neglect. Others have severe disabilities or behavioral health problems that are beyond the parents' ability to cope within the community. It is the Office's mission to ensure that DCYF offers all children in its care adequate protection and quality services, while maintaining respect for their individual rights and dignity.

The Child Advocate's Office is established by statute to protect the civil, legal and special rights of all children involved with the Department of Children, Youth and Families. The mandates of the Office are contained primarily in Rhode Island General Laws §§ 42-73-2.3; 42-73-7 and 42-73-9. By statute, the OCA has been provided with the authority to perform a number of important duties, which include but are not limited to:

- (1) To ensure that each child in protective care, custody or in treatment; and in proper cases, others interested in the child's welfare, is apprised of the child's rights;
- (2) Review periodically the procedures established by DCYF;
- (3) Investigate, in accordance with the established Rules and Regulations adopted by the Child Advocate, the circumstances relating to the death of any child who has received services from DCYF;
- (4) Review complaints of persons and investigate those where it appears that a child may be in need of assistance from the Child Advocate;
- (5) Periodically review the facilities and procedures of any and all institutions and/or residences, public and private, where a juvenile has been placed by the Family Court or DCYF;

(6) Recommend changes in the procedures for dealing with juvenile problems and in the systems for providing childcare and treatment;

(7) Take all possible action including, but not limited to, programs of public education, legislative advocacy and formal legal action, to secure and ensure the legal, civil and special rights of children involved with DCYF;

(8) Provide training and technical assistance to guardian ad litem and special advocates appointed by the Family Court to represent children in proceedings before that Court;

(9) Review orders of the Family Court relating to juveniles with power to request reviews as required by the best interests of the child;

(10) Investigate institutional abuse complaints;

(11) Commence claims on behalf of child victims of crime in the care of DCYF, in accordance with Chapter 12-25 entitled "Criminal Injuries Compensation" of the General Laws.

(12) Initiate, with the assistance of a confidential and voluntary panel, reviews of any child fatality or near fatality (a) The fatality or near fatality occurs while in the custody of, or involved with, the department, or if the child's family previously received services from the department; (b) The fatality or near fatality is alleged to be from abuse or neglect of the child; or (c) A sibling, household member, or day care provider has been the subject of a child abuse and neglect investigation within the previous twelve (12) months, including, without limitation, cases in which the report was unsubstantiated or the investigation is currently pending.

(13) To apply for and accepts grants.

Staff

The staff at the Office of the Child Advocate are committed to providing for the “best interest of children” in the care of DCYF. The OCA staff genuinely believe that the best outcomes for children and family will occur through collaboration. However, legal, legislative and other interventions will be used when it is appropriate to do so on behalf of children and families.

The hard work and dedication of the OCA staff over the past year should be acknowledged. The OCA experienced some staff shortages during 2018. However, the OCA staff worked long days to ensure that the statutory mandate of the office was fulfilled and to advocate for children in state care during a time when it was most needed.

Additionally, the Office of the Child Advocate has maintained positive relationships with the Rhode Island Government Internship Program, the Rhode Island College School of Social Work, Roger Williams School of Law and other colleges and universities. Through these programs, the OCA has accepted many student interns each semester. The OCA works hard to provide each student with a glimpse into all the activities of the office, while providing them with an opportunity to work on meaningful projects. We look forward to continued collaboration with these programs.

The OCA is grateful for the continued support of the Rhode Island General Assembly. We are thankful for the many opportunities to brief members of both the House and the Senate regarding issues plaguing the child welfare system and their support of our efforts to effectuate change. In FY 2019, the OCA was provided with two (2) additional full-time employees, which was vital since the expansion of the OCA's statutory duties and the OCA's new role as Federal Monitor to the Children's Rights Lawsuit. We are thankful to the General Assembly for this increase to our FTE cap, which will assist our office immensely. The OCA continues to assess our staffing level and resource needs as we look to enforce every aspect of our statutory mandate.

Our staff remains committed to promoting the safety, well-being and best interests of children in state care. The current staff of the Office of the Child Advocate include the following employees:

The Child Advocate

Jennifer Griffith, Esquire

Jennifer Griffith was appointed by Governor Gina Raimondo on March 17, 2016 and received the advice and consent of the Rhode Island State Senate on April 7, 2016 for a five year term as the Child Advocate for the State of Rhode Island. She is a graduate of the College of the Holy Cross and Roger Williams School of Law. She is admitted to practice law in Rhode Island, Massachusetts and the United States Federal District Court of Rhode Island. Previously, she was a staff attorney at Rhode Island Legal Services for ten years handling all family law matters. She is a member of the Rhode Island Women's Bar Association, the Executive Board of the Rhode Island Family Inn of Court, the Rhode Island Family Court Bench Bar Committee, the Rhode Island Children's Cabinet, the Rhode Island Child Care Commission, the Rhode Island Child Support Advisory Committee, the Human Trafficking Task Force and the Rhode Island Juvenile Justice Advisory Committee and the East Providence Waterfront Commission.

Assistant Child Advocate

Katelyn Medeiros, Esquire

Katelyn has worked as the Staff Attorney III for the Office of the Child Advocate since May 2014. In February 2017, Ms. Medeiros was promoted to serve as the Assistant Child Advocate. Ms. Medeiros graduated *summa cum laude* from Rhode Island College in 2010 with a Bachelor's Degree in Justice Studies and Sociology. She then pursued her Juris Doctorate at Roger Williams School of Law, graduating *magna cum laude* in 2013. In addition, she was a member of the Roger Williams School of the Law Honors Program. She was admitted to the Rhode Island and Massachusetts Bar in November 2013 and the U.S. District Court of Rhode Island in 2014. Ms.

Medeiros first worked for the OCA from 2012-2013 as a Rule 9 Intern. She worked in private practice prior to her career with the OCA. Katelyn currently serves as a member of the OCA Advisory Committee and the OCA Child Fatality Review Panel. Also, Ms. Medeiros serves as the program director for Project Victim Services for the Office of the Child Advocate, providing assistance to children who have been victims of abuse, trafficking or witnesses to domestic violence.

Staff Attorney III

Diana Robbins, Esquire

Ms. Robbins joined the OCA Staff in May 2017 as the Staff Attorney and the Case Manager of the child victim compensation cases. She received her Bachelor of Arts & Sciences Degree in Political Science from the University of Massachusetts at Dartmouth. Ms. Robbins graduated cum laude from Roger Williams School of Law with her Juris Doctor in 2014. She was a member of Roger Williams School of Law's Mediation Clinic. In addition, she worked for Rhode Island Legal Services for their Family Preservation Project as a Rule 9 Intern and then as a volunteer Staff Attorney. She was admitted to the Rhode Island Bar and the Massachusetts Bar in 2014. Prior to joining the OCA, Ms. Robbins was a Staff Attorney for the Committee for Public Counsel Services in their Children and Family Law Division.

Special Projects Coordinator

Kathryn R. Cortes

Kathryn Cortes has been with the Office of the Child Advocate (OCA) since 2007. Kathryn is currently the Special Projects Coordinator and is a certified Child Forensic Interviewer (FI). Kathryn also holds certifications in Conducting Child Abuse Investigations and Child Death Investigations. Kathryn previously served as a Senior Monitoring & Evaluation Specialist in the OCA from 2013-2017 and as the Chief Field Investigator for the OCA from 2007 to 2013, until her promotions in 2013 and 2017 respectively. Kathryn has a Bachelor of Arts in Criminal Justice/Juvenile Justice from Salve Regina University located in Newport, RI. Prior to joining the OCA staff in 2007, Kathryn began working as a Senior Residential Counselor in 1997 at Child & Family Services of Newport County in Newport RI. There, Kathryn worked to maintain a safe and therapeutic living environment for boys ages 6 through 12, which provided a structured program that promoted daily life skills, mental health services, and educational skills for the boys. Following her six (6) years at Child & Family Services, Kathryn moved onto Civigenics, Inc. in Marlborough, MA where she spent four (4) years as the Program Director of a therapeutic milieu program located in the Rhode Island Training School for Youth (RITS). Kathryn remains an involved member of both the professional and personal community in RI. Her activities and volunteer positions include: serving as a Member of the Rhode Island Child Death Review Team, Member of the LGBTQ Youth Committee, Executive Board Member of the RI Chapter of the American Foundation for Suicide Prevention (AFSP), Member of the JDAI Girls Work Group, Member of the Youth Suicide Prevention Subcommittee, Member of the multidisciplinary team at Hasbro Children's Hospital/Aubin Child Protection Center and acts as the Legislative Field Advocate for AFSP.

Senior Planning and Program Development Specialist

Jacqueline Sanchez

Jacqueline Sanchez, is currently the Senior Planning & Program Development Specialist at the Rhode Island Office of the Child Advocate (OCA). Jacqueline has a Bachelor's Degree in Social Work from Rhode Island College. Prior to joining the OCA staff in 2017, Jacqueline worked as Juvenile Program Worker (JPW) for the Rhode Island Training School for Youth (RITS) from 2007 to 2017. There, Jacqueline worked to provide the custody, supervision and security of detained youths, including assisting in the rehabilitation, education, treatment, care and control of the residents. Jacqueline is serving as a Member of the Rhode Island Child Death Review Team, a Member of the Human Trafficking Task Force, and a Member of the multi-disciplinary team at Hasbro Children's Hospital/Aubin Child Protection Center. Jacqueline recently received her certification of Forensic Interviewing of Children in July 2017.

Senior Planning and Program Development Specialist

Jimmy Vilayvanh

Jimmy Vilayvanh is currently one of our Senior Planning and Program Development Specialist at the Office of the Child Advocate. Prior to Joining the OCA Staff in October of 2018, he worked for the Department of Children Youth & Families (DCYF) in Juvenile Probation. There, Jimmy worked closely with pre-adjudicated youth involved in the family court system providing supervision for young men and women on home confinement with electronic monitoring. Prior to working for DCYF, Jimmy was also a Program Director for Outreach and Tracking at Tides Family Services for 7 years. His primary responsibility was to oversee the relationship with Tides Family Services and the Rhode Island Training School (RITS). There, he assisted with transition planning for youth to re-enter back into the community. The focus of the program was to assist youth to meet their conditions of Juvenile Probation while focusing on their educational needs, mental health services and daily life skills. Jimmy remains an involved member of the Rhode Island Child Death Review Team, Multidisciplinary Team at Hasbro Children's Hospital/Aubin Child Protection Center, The Continuity of Care group and the Coalition to support R.I. Youth.

Narda Gomez

Case Management Coordinator

Narda Gomez is currently the Case Management Coordinator at the Office of The Child Advocate. Narda has a Bachelor's Degree in Justice Studies from Rhode Island College. Narda previously worked at Central Falls High School as part of the Restorative team as a Restorative Conference Facilitator. Through her Restorative work, Narda assisted Administrators and the Restorative team (Behavior Team) with student issues, coordinating with school-based and external resources for implementation of the restitution plan. Narda also has several years of social service experience working with youth and families. Narda currently serves on the Commercial Sexual exploitation of Children Multi- Disciplinary team meetings. In her current role, Narda assists the (OCA) with identifying children who may be eligible for Victims of Crime Act (VOCA) applications, while also assisting the Staff Attorney with GAL (guardian ad litem) cases.

Office Activities

A. Child Fatality and Near Fatality Reviews

The Office of the Child Advocate is tasked with the responsibility of reviewing any child fatality or near fatality where the child was "...in the custody of, or involved with, the [Department of Children, Youth and Families], or if the child's family previously received services from the [Department of Children, Youth and Families]." See *R.I.G.L. § 42-73-2.3*. The OCA may also complete a review of a fatality or near fatality when "[a] sibling, household member, or day care provider has been the subject of a child abuse and neglect investigation within the previous twelve (12) months..." See *R.I.G.L. § 42-73-2.3*. Furthermore, the OCA shall review any child fatality or near fatality, "...alleged to be from abuse or neglect of the child". See *R.I.G.L. § 42-73-2.3*. The expectations of this office subsequent to notification of a child fatality or near fatality were delineated and expanded upon in the 2016 legislative session. This was codified in *Rhode Island General Laws § 42-73-2.3* and *Rhode Island General Laws § 42-73-6*. This legislation was signed in to effect by Governor Gina Raimondo on July 6, 2016.

The Office of the Child Advocate also attended critical event reviews pertaining to child fatalities and near fatalities. During these meetings, staff members involved with the case, DCYF Administrators and OCA staff would meet to review the facts of the case and other pertinent information. At the conclusion of the review, a final report is generated by the Department outlining their findings and recommendations regarding the case, policies, gaps in resources and other recommendations they determined were pertinent based on the case reviewed. Each critical event is also reviewed internally at the Office of the Child Advocate to determine whether the case meets the statutory requirement for review by the Child Fatality Review Panel.

Pursuant to *R.I.G.L. § 42-73-2.3* (e), "[t]he child advocate ... [is to] publicly announce the convening of a child-fatality-review panel, including the age of the child involved". Panel members are chosen based on areas of expertise necessary to assess the problem areas identified in the preliminary investigation and their ability to exercise independent judgment. The team is tasked with reviewing the circumstances surrounding the death of the child, addressing current trends and patterns, developing prevention strategies to improve the overall coordination of services to children and families in involved in State care, identifying gaps in services and assessments and to make recommendations for systemic change.

Pursuant to *R.I.G.L. § 42-73-6*, the annual report is to include "...non-identifying child-fatality and near-fatality information and recommendations." In 2018, Child Advocate, Jennifer Griffith, announced the convening of one (1) Child Fatality Review Panel. During the pendency of the review, the OCA has had to expand the review to include additional child fatalities and near fatalities that occurred throughout the year. The review consists of 9 fatalities and 9 near fatalities. Due to number of cases, the review is still pending while the OCA and Child Fatality Review Panel continue to analyze the information and develop recommendations for systemic change.

Additionally, the Office of the Child Advocate is a member of the Rhode Island Child Death Review Team (CDRT). This team is a multi-disciplinary team established in 1997 and under the direction of the Rhode Island Medical Examiners Office and the Rhode Island Department of Health. The CDRT reviews the deaths of all Rhode Island children and youth, ages 0 to 17 years old in order to identify ways in which similar deaths may be prevented. Examples of child deaths reviewed by the CDRT include those due to sudden unexplained death (SUID), injuries, homicides, suicides, abuse / neglect and deaths of natural causes that are potentially preventable.

B. Daily Review of the Child Protective Services Call Log

I. Information/Referrals:

The OCA has the authority to access the Department's database, RICHIST data system, which contains the file for every family involved with the Department, records, data and reports. Access to the system allows the OCA staff to review the Child Protective Services call log on a daily basis. The OCA staff provides heightened oversight to the use of the category of Information/Referral (I/R) to prevent the misuse or overuse of this category.

Our staff reviews the call and any additional case information to determine whether the call was properly categorized as an Information/Referral. In 2018, there continued to be an improvement in the misuse/overuse of the Information/Referral category. Administrative reviews of these calls have been completed by the CPS Administrator, prompting some of the calls to be upgraded prior to intervention by the OCA. In other cases, the OCA staff would notify CPS Administration of calls that seemed to warrant additional intervention by the Department, including the provision of services. OCA staff would continue to monitor the case to ensure that the case was addressed. In 2018, the OCA intervened on a total of eighty-one (81) cases initially categorized as an Information/Referral. The OCA has and will continue to work collaboratively with CPS to ensure the safety and well-being of children brought to the attention of the Department.

II. Investigations & Institutional Abuse

Pursuant to the Office of the Child Advocate's statutory mandate, the OCA has the right to investigate any claim of institutional abuse. The OCA utilizes a combination of the Child Protective Services logs and notifications from DCYF to monitor all claims of institutional abuse to ensure that all calls are reviewed and monitored.

The OCA continues to provide heightened oversight to institutional abuse allegations. Upon receiving notification, our Special Projects Coordinator and our two Senior Planning and Program Development Specialists retrieve and review the reports. Allegations of institutional abuse, which are categorized as an I/R are immediately reviewed to determine whether the allegations warrant an investigation. If so, the OCA staff will follow up with the Department to provide them

with an opportunity to complete their own investigation. However, should the Department deny the opportunity to review, the OCA staff completes their own independent investigation of the allegations.

For allegations of institutional abuse, which the Department is investigating, the OCA staff will track the investigation for timely completion. Upon completion, the investigation will be reviewed for quality, outcome and corrective action to ensure the proper steps are taken. If the OCA determines that additional intervention is required, an independent investigation is completed and a report is generated outlining the findings of the office and recommendations to ensure the safety and well-being of the children placed at the facility. These reports are subsequently provided to DCYF Administration, DCYF Licensing, the DCYF Placement Unit, the program that was investigated and the Family Court. In 2018, the OCA completed **twenty-five (25) independent investigations**.

OCA Success Story: *When completing an independent investigation, one OCA Staff member took the opportunity to meet with each of the youth placed in the group home individually. During this process, the youth shared concerns, a glimpse of their day to day lives within the home and suggestions for improvement of group home care. Youth were open to talking about these concerns and understanding the purpose of the OCA provided them with of level of comfort and confidence to know there are additional resources for them.*

In particular, one youth wrote a letter to DCYF, the Family Court and the OCA to express his issues while living in group home care. He felt extremely validated as the Office of the Child Advocate responded to his complaint and took the time to interview him, address his complaints and do a thorough investigation. Through this complaint, the OCA built a rapport with several youth in this placement, which encouraged additional communication with OCA. This has provided the OCA with the opportunity to more closely monitor the well-being and safety of the youth placed in this home. In addition, the OCA has become a resource for the personnel in the group home.

In January 2018, the OCA completed an ***in-depth investigation of the Blackstone Valley Youth and Family Collaborative***. This investigation was first initiated in July 2017. The OCA staff reviewed the two residential facilities, youth files, staff files, clinical documentation, staff communication logs, police reports, incident reports and program policies and procedures.

Through this in-depth review, the OCA made a series of findings, which led to our recommendation for closure of the program due to its failure to provide a therapeutic environment and the failure to meet the best interests, safety and daily well-being of DCYF youth. Some of the findings included:

- The OCA received copies of police reports involving Blackstone Valley Youth and Family Collaborative (BVYFC) youth from the Pawtucket Police Department dated from May 31,

2016 to June 6, 2017. Out of 210 police reports involving BVYFC youth, only three (3) incidents were reported to the CPS hotline by BVYFC staff.

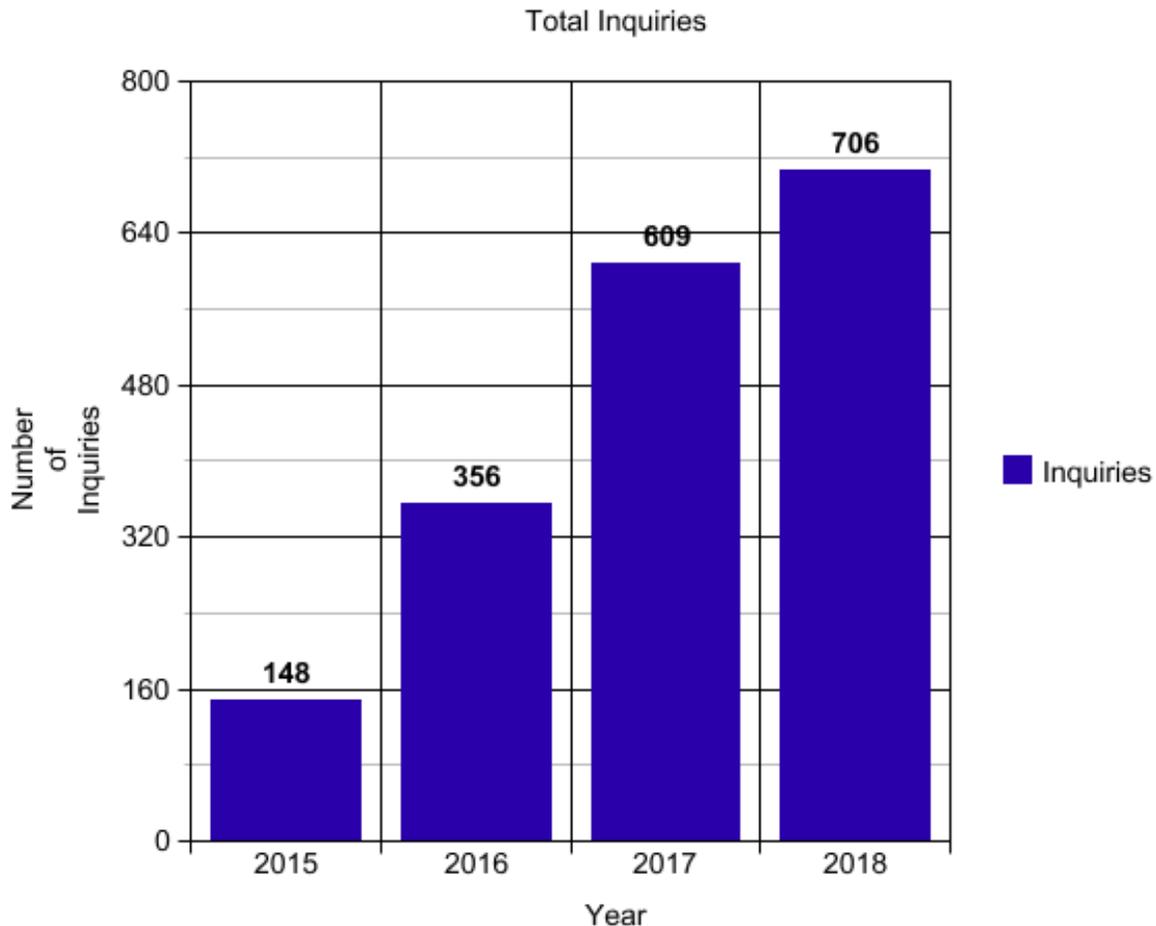
- Obtaining the requested documentation from the Executive Director was difficult. The OCA requested documentation on numerous occasions and finally received only some of the requested information one (1) month later.
- The Executive Director provided the OCA with numerous false documents and inaccurate information.
- BVYFC staff failed to report and document significant incidents pertaining to the DCYF youth residing in the program. This is a direct violation of licensing regulations.
- BVYFC staff failed to contact the police upon finding suspected narcotics, drug paraphernalia, evidence of alcohol abuse, stolen merchandise, physical altercations, and weapons amongst DCYF youth.
- The clinician was providing part-time treatment for nine (9) youth and there was no covering clinician in his absence or an on-call clinician available to DCYF youth.
- Youth were not receiving adequate or appropriate clinical care, as evidenced by the weekly progress notes completed by the clinician.
- Sexual offending youth were placed with DD kids, and non-offending youth. No documented risk assessments were completed prior to placing these kids together especially when youth are refusing any clinical interventions and not being properly supervised by staff.
- All DCYF youth files were incomplete and missing required information, in direct violation of licensing standards and contracts and compliance agreements.
- The OCA received twenty (20) current employee files. Files for the Executive Director and the clinician were not provided. The majority of employee files were missing the employee application, resume, references and reference checks.
- Over ninety (90) percent of BVYFC employees did not meet the minimum requirements for working with DCYF youth.
- Reysean Williams was terminated on April 24, 2017. Reysean was arrested at BVYFC's 35 Amey Street group home for the sex trafficking of minors within the DCYF system.
- Reysean was allegedly working with former BVYFC youth to recruit DCYF youth. The former resident was discharged from BVYFC a few months before the arrest.
- No background checks or child welfare agency checks were completed in New York or Texas for Reysean Williams, despite those locations being his prior places of residence/employment.

This is just a brief synopsis of the six (6) month investigation. To view the full report, please visit our website at: <http://www.child-advocate.ri.gov/Reports/>

Following the release of the report, the Child Advocate, Jennifer Griffith, testified in front of the House Oversight Committee regarding the investigation, the findings and the recommendations of the OCA. Ultimately, this led to the program's closure and the employee who was arrested for the sex trafficking of DCYF youth is now serving a sentence in federal prison.

C. Complaints and Inquiries

In accordance with State statute, the OCA is responsible for responding to calls and inquiries concerning children who are in the care and custody of DCYF or who have been recently closed to the Department. Each day the OCA receives calls from various sources including but not limited to: providers, police departments, school departments, teachers, social workers, nurses, medical providers, outside attorneys, Judges, parents and even DCYF staff.



The calls received by the OCA involve a variety of topics and each call is processed or handled differently. The response can range from providing information, initiating independent investigations, site reviews, authoring of reports, referrals to other agencies or legal intervention. Additionally, the OCA receives inquiries regarding a youth in need of services who is not yet involved with the Department. The OCA makes appropriate referrals to other agencies with regards to those inquiries. In some instances, the OCA can act as an intermediary on behalf of children in need of DCYF services when the families have been unsuccessful at navigating their way through the system. In appropriate instances, the OCA staff members can intervene on behalf of young children in need of DCYF services, either through direct interaction with Department staff at all levels or through Family Court intervention.

From January 1, 2018- December 31, 2018, the Office of the Child Advocate has continued to see an increase in the number of calls we are receiving with ***a total of 706 resolved inquiries in 2018.*** We attribute this to the public education regarding the role of our Office provided to various agencies, police departments, school social workers, attorneys and school departments. Furthermore, the OCA experienced an increase in calls following the release of public reports and testimony.

Each OCA staff member is assigned inquiries/complaints based upon their particular area of expertise. For instance, if the matter is a legal issue, it may be assigned to one of the attorneys in the office. Often an inquiry can lead to necessary legal intervention on behalf of a child in state care. A portion of these inquiries are made by the Rhode Island Family Court. The Judges frequently assign our Office to cases that require immediate attention and closer scrutiny. When assigned, our Office connects with DCYF, CASA, Attorneys for parents, the child's school, and all providers working with the child. Our attorneys then report back to the Court with recommendations that are in the child's best interest. Our attorneys continue involvement until the issue that prompted the initial referral has been resolved. If the inquiry requiring legal intervention is from a parent, attorney, provider, or someone other than the Family Court, our attorneys will follow the same process, and appear in Court alerting the presiding Judge that our Office is intervening pursuant to our statutory authority.

One trend in calls the OCA received was from local hospitals regarding children who have been languishing in a hospital setting far longer than is recommended, oftentimes with no education. Doctors, social workers, and staff of the hospital will contact our Office when they have exhausted all other avenues of discharging this youth appropriately. The continued cause for this issue is our lack of appropriate service array to meet the needs of the youth in state care and inappropriate referrals. Youth awaiting placement in a hospital setting is a clear violation of the Children's Bill of Rights. Children have the right to be in the least restrictive placement that meets their needs. When receiving these calls, the OCA will reach out to all parties on the case including CASA, DCYF and other relevant service providers to determine the needs of the child and advocate for expedited and appropriate referrals to ensure the child is moved to an appropriate placement. At times, this has required legal intervention.

D. Voluntary Placements

Rhode Island General Law (hereinafter "RIGL") 42-72-14 states that "the Director may, in his or her discretion, admit to the department on a voluntary basis any child who, in his or her opinion, could benefit from any of the services offered in foster care or residential facilities administered by or under contract, or otherwise available to, the department." This statute enables parents, under certain circumstances, to place their child in the care of DCYF without surrendering custody. Generally, under RIGL 14-1-11.1, DCYF shall petition family court for care, custody, and control of a child when said child has been voluntarily placed with the department for the purpose of foster care by a parent or caretaker and who remains out of the home for a period of twelve (12) months. However, DCYF is not required to do this for a child with an emotional,

behavioral, or mental disorder, or developmental or physical disability if the child is voluntarily placed for the purpose of accessing an out-of-home program specializing in the care the child requires. The Adoption and Safe Families Act requires that any child subject to voluntary placement be monitored by administrative reviews, permanency hearings, and strict time frames for permanency. RIGL 14-42-72(c) states that within one hundred and twenty (120) days of admitting a child on a voluntary basis, DCYF shall petition the family court for a determination as to whether continuation in care is in the child's best interest and, if so, whether there is an appropriate case plan. Once the petition is filed, the Family Court assumes jurisdiction over the child in voluntary placement. At this point, the OCA is appointed to represent the child as the *Guardian Ad Litem* on the Miscellaneous Petition. There were **three (3)** petitions filed in 2018 compared to **eleven (11)** filed in 2017. Towards the end of 2018, DCYF was accepting fewer voluntary petitions and was working towards other ways to place these specific youth without family court involvement. The OCA will monitor these major changes in policy affecting this vulnerable population.

The OCA's legal staff, acting as *Guardian Ad Litem*, appear on behalf of or alongside the child in court hearings and monitors the Department's compliance with case planning and permanency through reviews Family Court. The Office tracks the child's progress in placement, visit the child, attends treatment team meetings, discharge planning meetings and makes recommendations to the Family Court pursuant to the child's best interests. For each court date, a member of the OCA legal staff will provide an updated letter to the Court detailing the child's progress in treatment, school, permanency goal, visitation with their family and any additional information the office believes would be pertinent for the Court to be advised of. The OCA proposes recommendations on behalf of the child to assist the child in making progress in treatment and toward their identified permanency goal. The Office files motions on behalf of our assigned youth relating to school, challenging placement, and services. Specifically, when Rhode Island is unable to provide an appropriate level of care and/or an appropriate placement is unavailable, our Office will recommend that the Family Court order DCYF to make out-of-state referrals for our youth. Currently, our Office represents ten (10) youth who are placed in out-of-state residential placements. These states include Massachusetts, Connecticut, and Vermont. Our Office ensures that although they are placed outside of Rhode Island, they are receiving adequate treatment, an education, and visitation with their families.

When a Miscellaneous Petition is filed, the parents are expected to have full involvement in the treatment of their child. They continue to have custody of their child and retain the right to make any decisions on behalf of their child. It is imperative that they be in communication with the providers, school, DCYF, and our Office. When parents are not available to participate in this capacity and are not appropriately acting as a custodial parent, the parent may require services, as well as the child. If this occurs, this Office may make a recommendation to DCYF and/or the Family Court that a formal dependency petition be filed. The goal of this recommendation is for the Family Court to focus on the entire family and their needs as opposed to solely focus on the child that brought the family to the attention of DCYF.

As of December 31, 2018, our Office represented **forty-nine (49)** youth and young adults between the ages of ten (10) and twenty (20). Pursuant to R.I.G.L. §42-72-5(b)(24)(v), these youth have found by the family court to be a child who is “seriously emotionally disturbed” or has a “functional developmental disability.” It is imperative that the family court make this finding upon request of the GAL prior to the child’s eighteenth (18th) birthday. According to R.I.G.L. §14-1-6, which was amended in 2015, the Family Court retains jurisdiction over youth that are deemed to meet the definition as seriously emotionally disturbed or developmentally delayed until the age of twenty-one (21) if the above finding is made. A positive outcome for our youth is a successful transition from the care of DCYF to services through the Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals (hereinafter “BHDDH”). Once our youth turn sixteen (16), DCYF begins the process of filling out the application for BHDDH services. These services can range from adult group homes, day programs, or outpatient services and case management. R.I.G.L. §14-1-6(c) requires DCYF to collaborate with BHDDH to provide the Family Court with a transition plan for individuals under the purview of the Family Court pursuant to R.I.G.L. §42-72-5(b)(24)(v). This transition plan shall outline clearly the level of service that this individual requires, health insurance options, an education plan, available mentors, continuing support services, workforce supports, and employment services. BHDDH and DCYF are required to provide this plan to the Family Court twelve (12) months prior to the youth’s discharge from the Family Court, typically when the individual turns twenty-one (21). Within three (3) months of discharge, BHDDH and DCYF are to identify a residential placement, if the individual requires this level of care. BHDDH’s involvement begins as early as sixteen (16) while BHDDH determines eligibility and can remain involved through adulthood.

Our office communicates with BHDDH through eligibility, planning, and finalization of transition plans for individuals as they approach the age of twenty-one (21). Our office requests that the Family Court order BHDDH to not just provide a transition plan but to be present in court along with their attorney to address any outstanding issues. Our Office consistently advances cases before the Family Court to ask for frequent updates to ensure their needs will be met following their transition to the adult system. A major obstacle our clients face as they reach the age of twenty-one (21) is the shortage of placements and day programs available. Our Office is in communication with the programs that BHDDH refers to for our adult clients and there are waitlists, which prevent BHDDH and DCYF from executing clear transition plans for this population of youth. Our Office continues to discuss this issue internally and with DCYF and BHDDH to come up with solutions to this problem.

During 2018, **seven (7)** youth or young adults closed to our office. A dependency was filed regarding one (1) youth as the family needed to be included in service planning. One (1) youth enrolled in college and moved onto campus. This young adult was eager to be independent and asked the Family Court to close her case. Two (2) of our young adults moved into their new apartment utilizing community support services from BHDDH and closed when they turned twenty-one (21). One (1) of our young adults successfully transitioned to an adult group home through BHDDH just prior to their twenty-first (21st) birthday. His matter closed on his twenty-first (21st) birthday. Two (2) of our young adults were placed out-of-state as juveniles. There were identified placements for them on their twenty-first (21st) birthday, however, the

residence was not ready for them to move in yet. When their matter closed, they were still at their DCYF licensed facility.

E. Voluntary Extension of Care

In July 2018, the Voluntary Extension of Care (VEC) was passed by the General Assembly. This legislation took effect July 1, 2018. Following the enactment of this legislation, there was concern regarding the development and promotion of this resource to youth in our state. The OCA participated in many meetings with the General Assembly regarding this issue.

Furthermore, the OCA staff initiated its own public education campaign about the VEC program to inform those who would most likely come in contact with this population of youth about this vital resource. The OCA provided information regarding the VEC program to schools, community agencies and service providers, which has helped increase referrals to this program.

DCYF filed the first petition for the Voluntary Extension of Care program in January 2019. The OCA will be providing direct representation for youth who had a private Guardian *ad litem* as a child. The OCA will represent the youth's best interests and assist with the development of an appropriate plan including resources for housing, necessary services, job training and/or education.

F. Court Appointed Cases

Pursuant to the statutory authority of the Office of the Child Advocate, the Rhode Island Family Court can appoint the Office of the Child Advocate as the child's attorney, to represent the best interests of a child who is in the care and custody of the Department of Children, Youth and Families. In the past, this was not a common occurrence. However, in 2018 the Office of the Child Advocate was appointed on approximately **four (4) occasions**. The OCA staff is committed to continued legal advocacy for children in state care.

G. Facilities Review

The OCA is tasked with the responsibility to review all facilities licensed by the Department. This includes foster homes, day cares, residential placements, out of state residential placements utilized by the Department for children with high-end or specialized needs and the Rhode Island Training School. The Special Projects Coordinator in collaboration with the two Senior Planning and Program Development Specialists work to monitor and advocate on behalf of children in state care by performing site reviews. The purpose of performing periodic site reviews is to confirm whether facilities are in compliance with the RI Licensing Regulations, to assess the overall quality of the facility, interview children residing at or attending the facilities, to inquire about reports of institutional abuse, and to provide comprehensive reports and recommendations for corrective actions. Additionally, in 2017, the Office of the Child Advocate added oversight of contract compliance by providers as a component of our site reviews. Prior to each site review, the OCA staff reviews the provider's contract with the Department and

ensures that the services for which the Department has contracted for are in fact being provided to the children in that placement. This has been incorporated as a part of our reports. After each review, the OCA provides a copy of the report along with any recommendations for corrective action to the Program Director, the DCYF Administration, DCYF Licensing, DCYF Contracts and Compliance, the DCYF Placement Unit and the RI Family Court. With having completed full site-reviews for most of the programs in the previous year, the OCA completed reviews and reports for the remaining programs. There were eleven (11) programs left to complete a site review for, which were all completed. Completing these reviews provides a level of quality assurance to ensure that placements are adhering to regulations and providing quality care and services to children in DCYF care.

After completion of in-depth site reviews, the OCA shifted focus to perform more routine visits or “drop-ins” to the facilities to connect with the youth placed in the facilities, making a greater impact on the lives of individual youth. However, our staff still completes a visual inspection of the facility and at times will request documentation to review to ensure that the programs are still in compliance. During these visits, OCA staff meet with youth placed in the residential facilities to better inform the youth of our office, the work we do and how they can contact us. Our staff has worked to build a rapport with youth; this has provided youth with the comfort to contact our office when they are encountering an issue or concern. Throughout 2018, the OCA staff completed **forty (40) drop-ins** to various residential facilities. In addition to these forty (40) drop-ins, OCA staff performed **an additional 350 visits** to youth at various placements to follow up on specific issues and to advocate on behalf of their best interests.

OCA Success Story: *One of the OCA Staff members was conducting an outreach visit at a local group home to inform staff and youth about the role and responsibilities of the Office of the Child Advocate. During this visit, one of the youth placed at the home expressed that they had been the victim of sex trafficking. The OCA Staff member continued to work to build a rapport with this youth and zealously advocated for a plan that would assist this youth in getting the structure, support and services they needed to succeed. Through this OCA Staff member’s hard work and dedication, this youth was moved to an appropriate placement, made significant strides in their treatment and was able to obtain their High School diploma.*

H. Advocacy for Youth through the MDT Process

In Rhode Island, the commercial exploitation of youth, specifically DCYF involved youth has continued to be a pervasive issue. The Office of the Child Advocate, in collaboration with DCYF, federal and local law enforcement, the RI Family Court and community service providers have worked to address this issue. Through the work of the RI Human Trafficking Task Force and various sub-committees, we have worked to implement policies and procedures to prevent youth

from becoming involved and to develop coordinated approach once a youth is identified as a victim.

In working with the RI Human Trafficking Task Force sub-committee, the Office of the Child Advocate is advocating for a high-end residential program in state for girls who have been identified as a victim of sex trafficking. This vulnerable population of youth have been continuously sent to programs out of state or have been held at the RI Training School for their safety. Keeping these youth in their community, close to family and support systems while receiving treatment, is vital for the youth's success. The OCA is focused and committed to making this treatment facility a reality in Rhode Island.

Additionally, the sub-committee developed a Commercial Sexual Exploitation of Children (CSEC) screening tool and face sheet to be utilized by DCYF group homes. This form has become a routine part of a child's intake process. If a youth is identified as high-risk or a confirmed victim of trafficking, the child is immediately referred to the MDT process. The face sheet provides a photo and all pertinent information regarding the youth, which can be handed to the police expeditiously when a child is AWOL or missing.

Furthermore, the Office of the Child Advocate has two staff members who work collaboratively to advocate for each youth referred to the MDT. In 2018, the OCA advocated for **15 youth** throughout the MDT process. OCA staff attended over **109 MDT meetings** where they would meet with the youth and their team to discuss services and develop a plan to maintain the child's safety and help them progress in their treatment.

I. Public Education

In 2018, the OCA has continued with our efforts to educate the public on the role and responsibilities of our office. It was concerning to this office that the public appeared to have limited knowledge regarding the statutory authority of the OCA and in what situations to notify our office of issues involving a child who is open to the Department in some capacity. Furthermore, the OCA wanted to continue to educate others on our role with the Victim Compensation Program and how our office can be utilized to assist children and families access these funds and necessary services. Throughout the year, the OCA has given presentations at a variety of schools, police departments and provider agencies including but not limited to:

- Bradley Hospital
- The Rhode Island Training School JPW Training Academy
- Bristol/Warren School Administrators
- RI Coalition for Domestic Violence
- Woonsocket Police Department
- Smithfield Police Department
- Key Program Career Day
- Woonsocket Health Equity Zone

- West Warwick Health Equity Zone
- RI Mental Health Association
- Cranston School Department
- West Warwick School Department
- Guiteras School
- Sojourner House
- Woonsocket School Department
- Newport Partnership for Families
- Woonsocket Community Forum
- Foster Care Summit
- Harvest Kitchen
- CCAP
- Community Care Alliance
- DCYF/Juvenile Probation
- Woonsocket Library
- Central Falls High School
- Central Falls Library
- TIDES
- Calcutt Middle School
- YMCA of Woonsocket

Following these presentations, the OCA has noticed an increase in calls to the office from people who were in attendance. These calls pertained to children who were involved with the Department and the OCA was able to assist these children, which may have not been the case without these callers bringing the cases to our attention. The OCA is committed to continuing public presentations for 2019 as this has proven to be an effective method. Additionally, the OCA will be seeking grant funding to print updated informational resources about the office or a child's rights while in care to distribute to the community. Lastly, the OCA is working to reinstate trainings for attorneys practicing as a Guardian *ad litem* (GAL) to children in state care. We anticipate collaboration with the RI Family Court throughout the implementation of these trainings.

The OCA's Special Project Coordinator, Kathryn Cortes, provided suicide prevention trainings/education. In 2018, Ms. Cortes completed the "Talk Saves Lives" presentation for the Central Falls High School Freshman Advisory and completed the "More than Sad" presentation for foster parents at Foster Forward.

J. Legislative Advocacy

It is the OCA's statutory responsibility to "take all possible action including but not limited to, programs of public education, legislative advocacy, and formal legal action to secure and ensure the legal, civil, and special rights of children" under DCYF care. The Child Advocate has testified

before various committees in both the House and Senate regarding the safety, permanency and well-being for children in state care.

In 2018, the Office of the Child testified to the House of Representatives Oversight Committee regarding the Blackstone Valley Youth and Family Collaborative investigation. During the OCA's testimony, the Child Advocate covered the details of the investigation, the findings and the recommendation for closure of the program.

Additionally, on February 1, 2018 and February 8, 2018, the Office of the Child Advocate testified in support of the Young Adult Voluntary Extension of Care Act, which would extend the age of case closure to the Department until the youth was 21 years old. The bill successfully passed and went into effect on July 1, 2018.

K. Advisory Committee

In 2014, the OCA's statute was expanded upon and a *Child Advocate Advisory Committee* was added to the OCA's statute. Collaboration between the community and other agencies involved in the issues confronting children is critical in the continuation of successful advocacy. The purpose of the advisory committee is to provide support and advice to the Office of the Child Advocate. The advisory committee is comprised of nine (9) highly qualified experts in their field. Each of the members serve a five (5) year term on the committee. The members collaborate to review and assess patterns of treatment and services to children and families in the state, discuss policy implications and necessary systemic improvement, and advise the Child Advocate on all aspects of child welfare with specific attention to the legal, medical and civil rights of children in state care. When Jennifer Griffith started as our state's Child Advocate, there were several vacant positions on the Advisory Committee, which required the appointment of several new members. The Child Advocate appointed Nancy Benoit, a retired educator and former Majority Leader for the House of Representatives and Kara Foley, a Policy Analyst, to the OCA Advisory Committee. Additionally, the Rhode Island Family Court appointed the Honorable Judge Karen Lynch Bernard to the OCA Advisory Committee. Since these appointments occurred, several other vacancies occurred. Additionally, the initial appointments provided will end in Fall 2019. The OCA is exploring new appointments to ensure the Advisory Committee is complete with the nine (9) intended members.

Child Advocate Advisory Committee Members

The Honorable Judge Karen Lynch Bernard

Judge for the Rhode Island Family Court Appointed by: Rhode Island Family Court

Susan Dickstein, PhD

Associate Professor Brown Medical School Psychologist, Bradley Hospital, Appointed by: Rhode Island Psychological Association

Nancy Benoit

Former Representative for the RI General Assembly, Appointed by Child Advocate, Jennifer Griffith

[VACANCY]

Appointed by: Rhode Island Bar Association

Carol Lewis, M.D.

Hasbro Children's Hospital Primary Care Director Refugee Health Program Foster Health Programs Appointed by: Rhode Island Medical Society

Catherine Lewis, MSW, LICSW

Clinical Social Worker Private Practice Former Foster Care Team Leader of Casey Family Services Appointed by: The Child Advocate

Kara Foley

Policy Analyst for RI Kids Count, Appointed by Child Advocate, Jennifer Griffith

[VACANCY]

Foster/Adoptive Parent - Consumer Advocate to be Appointed by: Child Advocate, Jennifer Griffith

[VACANCY]

Appointed by: Rhode Island Medical Society

I. Advisory Committee: Future Areas of Exploration

In upcoming meetings, future areas of exploration may include policy changes proposed by DCYF. Additionally, the Office of the Child Advocate is hopefully to assist in the presentation of several legislative initiatives. Through this process, the OCA will seek guidance from the Advisory Committee regarding legislative advocacy. Furthermore, the OCA is working collaboratively with the Department to open a high-end residential placement for girls in Rhode Island. Throughout the development of this program, the OCA staff will seek expert advice from our committee on various issues including effective service models and innovative ideas for the program utilized for vulnerable populations of girls in the state of Rhode Island.

Also, as the OCA continues to advocate for additional services where we have identified gaps in the service array, such as treatment for substance abuse, we plan to discuss these identified needs with the committee. Additionally, the expertise of our committee will assist us in identifying further trends in child welfare and areas for needed reform. Lastly, as the OCA continues to plan community forums, trainings and events for 2019 we hope to utilize the Advisory Committee to assist our office in the development of our trainings and identify certain groups or providers which would benefit from a presentation by our office.

L. Boards & Committees

In addition to the work performed at the OCA, the OCA staff participate on multiple boards and committees, including but not limited to:

- State of RI Children’s Cabinet appointed by Governor Gina M. Raimondo
- Panel on Human Trafficking appointed by Governor Gina M. Raimondo
- Human Trafficking Provider/Clinical Subcommittee
- Joint Permanent Legislative Commission on Child Care
- Child Support Advisory Committee
- State of RI Child Death Review Team
- LGBTQQ Policy Committee
- RI Chapter of the American Suicide for Prevention
- Kids Count Factbook Committee
- Aubin Center Multi-Disciplinary Team
- Juvenile Detention Alternative Initiative Committee
- Juvenile Justice Commission
- Executive Board of the Edward P. Gallogly Inn of Family Court
- Women’s Bar Association
- Continuity of Care Group
- Coalition to Support RI Youth: Focused on Juvenile Justice and Re-entry

M. Project Victims Services

Section 42-73-9.1 of the Rhode Island General Laws empowers the Office to commence civil actions for children pursuant to the “Criminal Injuries Compensation Act”. The OCA is the only Rhode Island Agency or Department, public or private, designated to provide assistance and representation to children in DCYF care who may be entitled to victim compensation. The goal of the program is to increase awareness regarding laws and legal procedures, pursue legal action on behalf of selected child victims of sexual and/or physical abuse, assuring that these youth have access to necessary support services, and promoting the best interests of the child in the criminal justice system. The OCA has the authority to pursue a claim through the Victim Compensation Fund on behalf of DCYF youth.

The Victim Compensation Program provides assistance to families after a request for assistance with expenses and supporting documentation is forwarded to the General Treasurer’s Office. VOCA provides victims of physical, sexual, and/or institutional abuse with an opportunity to file a claim with the Fund to receive financial assistance with expenses related to the crime, including, but not limited to, medical, mental health counseling, sexual assault assessments, and loss of earnings. The fund assists with expenses that are not covered by insurance, worker's compensation, temporary disability, public funds, sick/vacation time, or restitution. It is a fund of last resort. Families can utilize this fund for any qualifying expenses for a lifetime up to \$25,000.00. The Fund has been a vital resource to many families, providing those affected by crime to access the support and services they may have been unable to utilize otherwise.

Each month the OCA receives a list of the names of children who are victims of reported physical, sexual and institutional abuse. The Case Management Coordinator and the Staff Attorney research each case of abuse to determine if each child may potentially be eligible for funds through Victim Compensation. Our Office continues to educate social workers and attorneys regarding the benefits of the Fund and through this avenue the OCA has received additional referrals for children who were not accounted for in the report forwarded by DCYF. Further, the staff of the OCA sits on several boards that connects us to doctors, social workers, teachers, and members of the community which allow us to identify potential candidates for the Victim Compensation Fund. The OCA then follows up and contacts the parent, guardian, relative, or the DCYF social caseworker to assist in completing the application and consents required for applying for Victim Compensation funds. Once completed, our Office sends the application, consents and necessary information to Rhode Island Office of the General Treasurer. These claims must be filed by the victim's twenty-first (21st) birthday. Although the filings have remained up-to-date, the Office has strived to follow-up with each child. Our Office's initial contact with these families are at a traumatic time, so they may not be able to process or call our Office to get more information. We contact them a second time to provide and additional opportunity to review the information and contact our Office. Currently, our Office is up-to-date in contacting new candidates. Our goal is to send each family one (1) additional letter after initial contact including a resource list for services they can access.

Below are some case examples of children assisted through Project Victim Services. Information has been removed to protect the identity of the child.

OCA Success Story: A child came to the attention of our office due to sexual abuse they experienced when they were ten (10) or eleven (11) years old. A family member sexually abused this child; the child began engaging in unsafe behaviors following the abuse. The child's father ensured his child received appropriate services to address their trauma. Due to father's actions, the child remained in father's custody and continued to engage in counseling and treatment. Our office sent father a letter providing information regarding the Criminal Injuries Compensation Act.

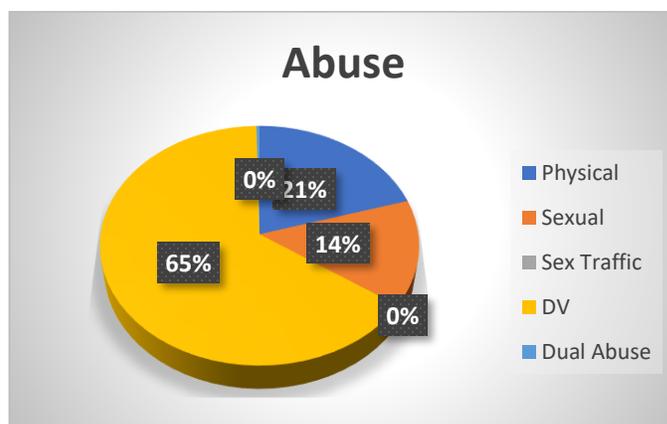
This child was represented by the OCA for the purpose of pursuing a claim under the Criminal Injuries Compensation Act for reimbursement for expenses related to the trauma of sexual abuse. The child's father is receiving invoices from his service providers that should be covered by VOCA funds. Our office sent him a completed application for signature. He reviewed the documents, signed them, and sent them back. Our office completed the process and sent the child's application to the treasury. Completing this process has assisted father in covering expenses related to this child's treatment.

Since the current Child Advocate took office, our Office has referred **1199 new children** to the Victim Compensation Fund for assistance. Our Office has sent additional letters to **103 children** that had been previously contacted by the OCA to provide information regarding the program again and determine whether it is something the family is interested in.

On September 20, 2017, the Governor enacted legislation, which expands the Criminal Injuries Compensation Act. This legislative change provides children who have witnessed Domestic Violence to access VOCA funds for services related to this trauma. This would include any form of therapy or services that would assist the child in coping with such a traumatic event. Since the law change in September, the OCA has made **780 referrals** to children that have witnessed Domestic Violence. If we do not hear from the custodial parent, we will send them an additional letter with a list of community service providers, which they can utilize to access appropriate services for their child.

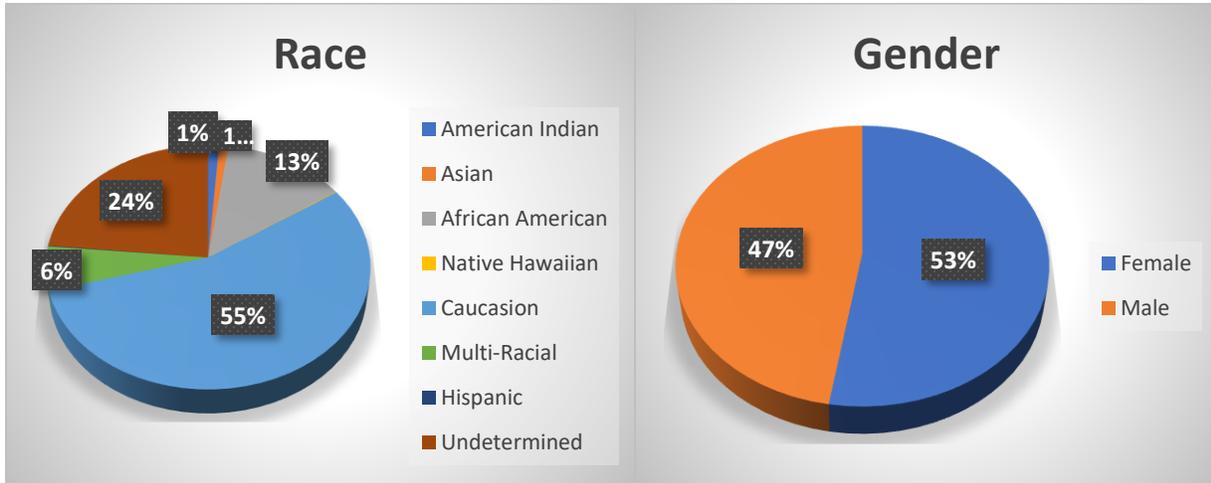
The OCA also reviews claims of institutional abuse to determine whether the allegations may meet the criteria for the Victim Compensation Program. Institutional abuse is physical or sexual abuse, which occurred in a facility such as a foster home, group home, the Training School or the hospital. Additionally, our Office refers children that have been identified as victims of sex-trafficking. We will continue to work closely with the Department and Day One to identify any child who has been a victim of sex-trafficking and work to assist them with a claim.

The OCA has referred **244 children** for physical abuse and **171 children** for sexual abuse. Our office tracks those who have been victims of more than one type of abuse. Generally, this always includes some form of physical abuse in addition to witnessing domestic violence or experiencing sexual abuse. This is likely underreported as all forms of sexual abuse is physical abuse and if a child is injured during a domestic violence incident, it may only be reported as physical abuse.

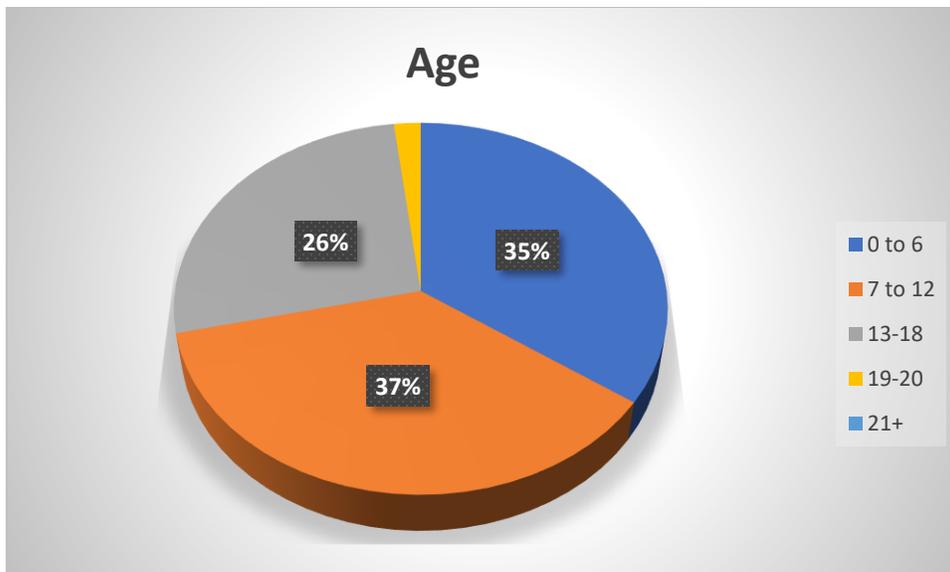


The OCA has contacted and advocated for a diverse group of youth. The OCA has referred **568 males** and **631 females** to receive assistance through the Victim Compensation Program. Of the **1199 children** referred, **159 children** were African American, **661 children** were Caucasian, **12 children** were Asian, **1 child** was Hispanic, **1 child** was Native Hawaiian, **14 children** were Native Hawaiian, **70 children** were Multi-Racial. There were **281 children** whose race remains

undetermined. The OCA receives their information on each youth from the Department. Unfortunately, in some cases, information collected on the child such as race was incomplete or inaccurate. We are unable to verify or collect additional information until the family or social worker contacts our Office. Recently, the Department began providing information regarding ethnicity, specifically whether the child is Hispanic. Our office is determining how to track this in accordance with their race. We are committed to ensuring that our data and case information is accurate. We will continue to work with the Department to ensure that our data is accurate and develop strategies for quality assurance.



The OCA makes referrals for ages **zero (0) to twenty (20)**. Since the current Child Advocate took office, the OCA has referred **23** individuals between nineteen (19) and twenty-one (21), **320 children** between the ages of thirteen (13) and eighteen (18), and **440 children** between the ages of seven (7) and twelve (12). Additionally, the OCA has referred **416 children** between the ages of zero (0) and six (6).



From January 1, 2018 through December 31, 2018, there were approximately **192 infants** born with exposure to alcohol and/or drugs. Although these infants appear on the monthly VOCA lists, they do not meet criteria for compensation through the Victim Compensation Fund. This number may not accurately reflect the complete number of infants born with exposure to alcohol and/or drugs as the OCA has recognized inconsistency in the manner these calls are recorded. In some cases, these calls have been coded as “physical abuse” which is why these calls are reflected on our report for potential VOCA claims. However, these calls have also been coded as “neglect”, which could skew the data we have on this. We will continue to collaborate with the Department to ensure consistent reporting and accurate data. Additionally, this data reflects the need to invest in community-based and preventative services to better support children and families who have been affected by substance abuse. This was outlined in detail in the Child Fatality Review Panel’s Report released in December 2017. Additionally, the report specifies change in federal law, which provide for specific protocols in tracking infants exposed to substances and criteria for detailed treatment plans. Additionally, the federal law provides for grant funding to assist with the funding for community based services. Legislative and policy change still needs to be drafted and implemented to comply with federal law.

When the Victim Compensation Fund began, our Office, by statute, could seek pain and suffering awards on behalf of youth through the VOCA process. Although there was a limit, youth could be awarded a significant amount of money. The OCA would deposit these funds into accounts and serve as a Joint Trustee/Owner of these accounts for the youth. As the youth aged out of DCYF care, the OCA VOCA administrator met with the youth to counsel them with regards to an appropriate plan for the use of these monies. Upon completion of counseling and an appropriate plan, the monies held on behalf of the youth were disbursed to them.

The OCA serves as trustee to protect the interests of children in state care who have qualified for awards. In the past, when parents were awarded the funds, money was sometimes spent in a

manner inconsistent with the best interests of the child. Under the present system, when a financial award is made to a minor in state care, the General Treasurer issues a check to the OCA to hold in trust. When the youth transitions out of DCYF care, the OCA closes the account and distributes the award and any interest directly to the beneficiary. In cases where the youth has developmental delays and the youth would transition in to adult services, a special needs trust is created on behalf of the youth.

Although statutory changes no longer provide for claims to compensate for pain and suffering, the OCA continues to maintain accounts on behalf six (6) individuals, who received the award prior to any statutory changes. The VOCA administrator continues to utilize various efforts, including Department of Motor Vehicle Records, former social workers and the assistance of the RI State Police to locate these young adults to provide them with the funds from their account and provide financial counseling prior to disbursement.

N. Workforce Development

The staff at the Office of the Child Advocate has had the opportunity to participate in a number of conferences and trainings to network with experts in the field and learn from child welfare professionals across the nation. The OCA staff has attended numerous conferences on a broad range of topics, methods and strategies being implemented in child welfare by other states. These experiences have been vital for our staff and has opened our minds to innovative ideas and strategies being implemented within child welfare. The OCA staff attended a total of sixteen (16) conferences and trainings. Some of the conferences attended include:

- National Crimes Against Children Conference
- Victim Assistance Academy
- Family Court Conference
- Ocean Tides and Tides Family Services: Adverse Childhood Experiences
- Trauma Informed Child Welfare Practice
- RI Human Trafficking Task Force: Lifting Voices, Empowering Action
- RI Training School: The Building Bridges Initiatives
- Sex Trafficking 101

The OCA will continue to find opportunities for our staff to continue their education and strengthen their work in the field.

O. Philanthropic Initiatives

In fulfilling the role of our office, it is our mission to ensure that each child who finds themselves in the unfortunate circumstance of being removed from their family, is treated with both dignity and respect. Oftentimes we are focused on large scale, systemic issues, however it is often the small details of daily life that have the greatest impact on the life of an individual

child. The OCA has started to engage in more philanthropy work to better the quality of life and enhance the experiences children in state care receive.

In August 2018, the Office of the Child Advocate, in collaboration with Adoption Rhode Island and Attorney Lise Iwon hosted the Third Annual Duffle Bag Bash to collect bags and gift cards to benefit children in state care. On a visit to one of our state's group homes, we witnessed the disturbing sight of a child being moved to his next placement with his belongings in trash bags. After discovering that this is a routine practice among kids in state care we asked youth to provide their feelings regarding this practice. One youth's testimonial stood out in particular when he noted that this made him "feel like trash". This is absolutely unacceptable. The children in our state deserve more dignified treatment than that. This inspired the event!

In August 2017, we collected over 400 bags for kids in care and \$20,585.00 in gift cards. In August 2018, the event was once again a success. Thank you to the support of many businesses and members of the community, the 3rd Annual Duffle Bag Bash resulted in the collection of over 650 bags and \$18,860 in gift cards, which were distributed to children in state care. The Office of the Child Advocate looks forward to the continued success of this event.

Additionally, in 2018, the OCA staff participated in the "Adopt a Family" initiative run by one of the Supervisors at DCYF. This provided our office with the opportunity to collect and provide for a family open to DCYF that may be facing some challenges during the holiday season. Our staff shopped and wrapped for a family of five. We truly enjoyed working together to provide a family in need with a happy holiday season.

Furthermore, the OCA staff had the opportunity to spend two days working with the amazing staff at Foster Forward at their holiday store front in Pawtucket. Through grants and donations, Foster Forward is able to open this store front to provide foster families, DCYF social workers and parents with the opportunity to come to the store front and do some holiday shopping for children in DCYF care. We assisted with re-stocking, retrieving gifts and checking people in as they waited for their opportunity to shop. It was a wonderful event and we look forward to participating again in the future!

The OCA plans to organize additional community events to benefit children in state care and to provide youth with experiences and opportunities that they many not presently by afforded. We are thankful to all of our hardworking volunteers and generous supporters; without you the success of our events would not be possible.

Goals and Recommendations of the Office of the Child Advocate

The Office of the Child Advocate is committed to continue continued improvement on both an individual and systemic level. The OCA has a number of goals we have set to work towards the improvement of the child welfare system. Some of those goals include:

1. The Office of the Child Advocate is committed to collaborating with the Department of Children, Youth and Families to develop a high-end residential program in state for girls coping with significant mental health issue or who have been identified as a victim of sex trafficking. This vulnerable population of youth have been continuously sent to programs out of state or have been held at the RI Training School for their safety. Keeping these youth in their community, close to family and support systems while receiving treatment, is vital for the youth's success. The OCA is focused and committed to making this treatment facility a reality in Rhode Island.
2. The Office of the Child Advocate agrees that when appropriate, a child should be in a home, not group placement. To support the number of children in need of a foster home both the recruitment and retention of foster homes is vital.
3. The OCA will continue to advocate for an appropriate service array for children in the state of Rhode Island. Ensuring that there are appropriate services available will prevent the continued issue of youth languishing in inappropriate placements or settings.
4. In addition to ensuring the safety and well-being of children in state care, we are looking to expand our responsibility to ensure children in DCYF care are given opportunities to establish a sense of normalcy, which would include involvement in extracurricular activities. We believe the opportunity to participate in classes, clubs and other activities would be beneficial to youth. The Office of the Child Advocate will seek grant funding and other resources to provide more youth in state care with these opportunities.
5. The OCA will continue community public education regarding the role and responsibilities of the OCA. Additionally, the Office of the Child Advocate is in the process of developing written resources to provide to children in state care and community professionals. Grant funding will assist with the printing and distribution of these materials.



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