



Fast Facts:

- In 2016-2017, Pennsylvania projects that approximately 200,000 children will receive in-home child welfare services, 43,000 children will be the subject of a child abuse report and more than 40,000 children will be in foster care or another type of out-of-home placement (e.g., group home or institutional).
- In 2016-2017 a mix of local, state and federal funding totaling \$1.92 billion will be directed to Pennsylvania's child welfare agencies.
- Decisions made by child welfare professionals dramatically impact child safety and a child's connection to a nurturing and permanent family.
- Everyone benefits - children, families and taxpayers - when concerns related to these consequential decisions can be reviewed by an impartial Child Protection Ombudsman. This independent entity also can be empowered to identify needed policy and practice changes to improve outcomes for children and families.

During 2016 and the early days of 2017, Pennsylvanians were introduced to terrifying acts of abuse against children – children already on the radar of publicly funded systems. These children (and too many others) underscore why diverse stakeholders have long urged Pennsylvania policymakers to create an independent Child Protection Ombudsman:

- The adoptive mother of 14-year-old Grace Packer has been criminally charged in connection to the rape, murder and dismemberment of Grace. This adoptive mother was also a mandated reporter and an employee of a county children and youth agency responsible for assessing child safety and investigating if a child has been abused. The horror Grace endured in 2016 was not the first time this child was traumatized or that her body and trust were betrayed in her adoptive home.
- Three female youth were sexually assaulted by an employee of a state-licensed residential treatment program.¹ Shortly after the state responded to these institutional sexual assaults, another youth would die at the same facility following an altercation with employees of the program.
- Three young children – ages 4, 5 and 6 – were rescued from a home where authorities have said they were being imprisoned and denied food. Two of the children were so desperate for food that they faced imminent death. One of the two adults facing criminal charges related to the severe neglect and abuse of these three children had recently been imprisoned (then released on bail) for criminal charges related to the sexual abuse of another young child.

Diversity in the call to create a Child Protection Ombudsman

"Accountability is a vital part of the relationship between the child welfare system, its clients and the broader public, including the General Assembly. Where the welfare of children is at stake, the public has the right to a particularly firm assurance that the system is doing its job."

Advisory Committee on Services to Children and Youth (2002)

"Establishing a children's ombudsperson would add another level of checks and balances to our system that would greatly aid our mission to provide for the health and safety of all Pennsylvania children."

Estelle Richman, Secretary of the Pennsylvania Department of Public Welfare (2008)

"Other states have realized they need a children's ombudsman office so abuses do not fall through the cracks. Pennsylvania should follow their lead."

Harrisburg Patriot News Editorial (2010)

"One further action DHS should take immediately is appoint an independent child protection ombudsman, who would review complaints and would recommend system improvements."

Eugene DePasquale, Auditor General of the Commonwealth of Pennsylvania (2016)

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Legislation seeking to create an independent child protection ombudsman (sometimes called the Office of Child Advocate) was first introduced in Pennsylvania in 2000.

In 2002, a Joint State Government Commission Advisory Committee on Services to Children and Youth established by the Pennsylvania General Assembly recommended creation of a statewide children's ombudsman. ²

Since 2003, there has been bipartisan legislation introduced in the Pennsylvania General Assembly. No legislation, however, has ever reached the governor's desk.

In 2008, Estelle Richman, who was serving as the Secretary of Pennsylvania's Department of Public Welfare, convened a working group charged with finding a path forward to create a state-level child protection ombudsman. She declared, "As partners in protecting the lives of our children, it is essential that we work together to promote accountability in our child welfare system without it we leave our children vulnerable to the damaging and traumatic effects of child abuse and neglect." ³

In 2010, the Harrisburg Patriot News editorial board referenced the "horrible" Kids-for-Cash scandal in advocating for the creation of a children's ombudsman office. ⁴ The editorial board framed such an office as one that "would handle and investigate complaints related to abuses against children who are involved in government services and the justice system." ⁵

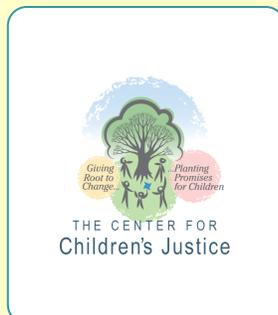
Diverse stakeholders outreached to members of the Task Force on Child Protection in November 2012 writing:

"The Sandusky case in and of itself provides sufficient evidence of the need for an independent Children's Advocate. Consider that in 1996 the biological mom and juvenile probation officer for one of Mr. Sandusky's eventually adopted sons repeatedly raised concerns about the placement of the child in the Sandusky home. As more red flags went up, they had nowhere to turn but the very system that was responsible for and satisfied with the child's placement."

The National Conference of State Legislatures (NCSL) frames the general purpose of a Children's Ombudsman as an entity able to ⁶ :

- "Handle and investigate complaints from citizens and families related to government services for children and families - this may include child protective services, foster care, adoption and juvenile justice services.
- Provide a system accountability mechanism by recommending system-wide improvements to benefit children and families - often in the form of annual reports to the Legislature, Governor and public.
- Protect the interests and rights of children and families - both individually and system-wide.
- Monitor programs, placements and departments responsible for providing children's services - which may include inspecting state facilities and institutions."

Those who have opposed the creation of an independent Child Protection Ombudsman in PA suggest the office is unnecessary because Pennsylvania is a state supervised, county administered child welfare system. That opposition ignores the work for children in Colorado - another state supervised, county administered state. After a number of "highly publicized" child deaths involving children already known to the child welfare system, CO lawmakers determined that the state's "child protection system required a greater degree of oversight, accountability and transparency to prevent such tragedies in the future." ⁷



1. <http://www.philly.com/philly/blogs/real-time/Teen-reportedly-dies-at-Wordsworth-Academy.html>

2. http://jsg.legis.state.pa.us/publications.cfm?JSPU_PUBLN_ID=55

3. http://www.philly.com/philly/blogs/harrisburg_politics/An_ombudsman_for_children_in_Pennsylvanias_child_welfare_system.html

4. http://www.pennlive.com/editorials/index.ssf/2010/03/children_in_trouble_whats_happ.html

5. *Ibid.*

6. <http://www.ncsl.org/research/human-services/childrens-ombudsman-offices.aspx>

7. http://www.coloradocpo.org/wp-content/uploads/CPO_Performance_Plan_FY_2016_2017.pdf