

## McGreevey signs new child-welfare legislation

Families are to get more help, social workers more training, and complaints faster response. The governor also briefly addressed his resignation.

By Robert Moran    Posted Aug. 28, 2004    Inquirer Trenton Bureau

ORANGE, N.J. - Making a brief comment about his resignation scandal, Gov. McGreevey eased back into the public eye yesterday by signing legislation to reform New Jersey's troubled child-welfare system.

McGreevey has been tiptoeing back into public life, taking another step here when he answered several questions from reporters.

He told reporters after the signing event that he was thankful for "all the prayers for my wife, for me, for my family. All across this state, people are incredibly decent and kind and have a great, generous spirit."

On Wednesday, McGreevey appeared in Atlantic City to sign casino-related legislation. It was his first public appearance since Aug. 12, when he announced he would be leaving office because he had had an affair with a man. He has said he will step down Nov. 15.

McGreevey looked relaxed yesterday as he signed the child-welfare bill at St. Matthew A.M.E. Church.

"We'll continue to work hard, we'll continue to make every single day count," he told reporters yesterday before leaving the church.

Since coming out, he has yet to say anything in public on the circumstances that led to his resignation.

But unlike on Wednesday, when he avoided questions from reporters, McGreevey showed a willingness to talk - albeit within narrow bounds - yesterday.

After finishing his speech, he smiled and announced to the audience, "I just want to know if there's any questions?" - he paused for a second, then added, "on the bill."

He answered four, all dealing with the bill, before heading out by a side door. He stopped for an instant to make his remark about the scandal.

The new law restructures child-protection services within the state Department of Human Services. It mandates increased training for social workers and more support for families.

The law requires the state Division of Youth and Family Services to start investigating reports of child abuse and neglect within 24 hours.

It will also phase out long-term foster care in favor of alternatives such as adoption.

"We have set forth a blueprint of excellence that will envelop the children of New Jersey and offer them the hope and the security of a great future," McGreevey said in prepared remarks to an audience of several hundred people, including foster families and child-welfare advocates.

As the result of a lawsuit settlement, the state has already begun to hire hundreds of additional caseworkers to assist the more than 60,000 children in the child-welfare system.

The lawsuit, filed by Children's Rights Inc., had accused the state of mistreating foster children. McGreevey decided to seek a settlement after the body of Faheem Williams, a beaten and starved 7-year-old, was found in Newark early last

year.

Williams and his two starving brothers had been the subject of an abuse complaint that was closed although no social worker had actually observed the boys.

In October, the emaciated Jackson brothers were found in Collingswood. The four adopted brothers lived in a house that DYFS workers had visited for years because foster children lived there. None of the workers noted the brothers' conditions.

"We had a system that understood procedural check marks but didn't protect the children," McGreevey said.

In July, the state launched a 24-hour hotline for abuse and neglect calls - 1-877-NJ-ABUSE - and in that first month the hotline received 18,500 calls, state officials said.

Yesterday's bill-signing capped a week that saw the controversy over McGreevey's resignation fade slightly, allowing him to focus more on his job.

On Thursday, the governor named his appointees to a task force that will examine the rules for a constitutional convention to lessen the burden of property taxes on homeowners.

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## **Expansive DYFS reforms become law**

### **Goal is to better protect children**

BY GUY STERLING              Star-Ledger Staff              August 28, 2004

A bill that officials promised will bring sweeping changes to the state's child protection system was signed into law by Gov. James E. McGreevey yesterday.

The signing ceremony was held before an enthusiastic audience of 150 at St. Matthew AME Church in Orange, where the Rev. Reginald Jackson serves as pastor. Jackson is also executive director of the New Jersey Black Ministers Council.

"For me personally, there cannot be a greater legacy than fixing a system that is clearly broke, and saving the life of one child to go do great things," McGreevey said, before signing the Child Welfare Reform Bill while surrounded by a group of children.

McGreevey did not speak with reporters who staked out several spots around the church, hoping to ask him about the sex scandal prompting his resignation effective Nov. 15. His security detail whisked him in and out of the church by a side door.

The governor did take several questions from the audience about the bill and its goals before he signed it.

In introducing McGreevey, Human Services Commissioner James Davy said the governor would not have supported the measure unless there was sufficient funding for its implementation.

"It took a year of meticulous, rational planning to develop this plan," said Davy, who has proposed a 2 1/2-year, \$320 million reform budget.

The new law calls for the state to add 1,000 new caseworkers at the state Division of Youth and Family Services, set caseload limits for workers, streamline the agency's bureaucracy, expand drug treatment and mental health services, install a computer tracking system, set up a child abuse hotline and recruit more foster families.

McGreevey pledged last year the state would overhaul the way it looks after its most vulnerable residents after 7-year-old Faheem Williams, a former DYFS client, was found dead in the basement of a Newark apartment, a day after his twin brother and a cousin were discovered sick and starving in an adjoining room.

The governor committed to the reform when he settled a class-action suit that had been filed on behalf of New Jersey's foster children against the state in 1999 by Children's Rights Inc., a national advocacy group.

Davy said McGreevey's attitude from the outset was that the state should be defending children, not the lawsuit.

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## **Amid push to reform agency, DYFS intensifies caseworker training**

By ANGELA DELLI SANTI    Associated Press Writer    August 28, 2004

TRENTON, N.J. -- All the caseworkers spotted the white powdery substance on the coffee table; they all saw the syringes and the empty bottle of whiskey near the baby's stuffed bunny.

Yet, no one from the Division of Youth and Family Services wanted to ask family members about the obvious drug use going on inside the motel room where a 6-month-old was critically hurt the night before, probably from being shaken too roughly to silence his cries.

The caseworkers were too uncomfortable to go there, one of them said of the drugs, even though they knew from the case file that the baby, Sean, had been born with cocaine in his system. They didn't ask about the drugs, even though they know they need to confront issues that a family being investigated for child abuse won't want to talk about.

"Keep your questions child-focused. And don't be nervous," said Dan Mills, head of new worker training at DYFS, as he coached 10 new-hires through their first simulation of a child abuse investigation. "Remember, this is a learning experience, not a test."

Mills has spent a lot of time lately offering encouraging words to would-be DYFS social workers. Under court order to reform after a series of shocking, headline-grabbing child-abuse cases, the division is bolstering its ranks in unprecedented numbers.

Some 453 new caseworkers are slated to be added to the state payroll by this time next year, bringing the number to 2,000 caseworkers statewide and cutting caseloads that were among the highest in the country. New employees get 17 days of training before being assigned their first case, and they complete another 18 days of training in their first year with the agency, DYFS spokesman Joe Delmar said. The starting salary for a caseworker is \$38,600 a year.

The division has a \$3.6 million training budget for the current fiscal year, a significant jump from the \$400,000 it allocated for training in each of the past couple of years, according to Delmar.

"It's very difficult work our caseworkers do when they go out in to the field," Human Services Commissioner James Davy said. "If they're not trained, people can do more damage to children and families than good."

DYFS and 34 workers face civil action in the case of a Collingswood couple accused of starving four adopted sons after a child advocacy group sued on behalf of the three boys who are minors. Four DYFS workers resigned or retired after the oldest child, age 19, was found emaciated rummaging through a neighbor's trash. Child welfare workers had visited the home regularly because foster children lived there. A criminal investigation of child-welfare workers who monitored the family is not complete.

A suit by the same group, Children's Rights Inc., forced a complete overhaul of the agency. The historic reform was already under way when the Collingswood case again shone a harsh light on DYFS, and the effort to change then intensified.

"There's a new transparency to what we're doing," Davy said of the agency's increased openness. "I want to make sure everybody is aware of what we're doing and how we're going about doing it. We need to be in partnership with community groups, with families, with the communities in general to better serve our families and children \_ not just DYFS children, they're our children."

The missteps in the Collingswood case are one reason the agency has intensified its training regimen.

After spending many hours over several days discussing the fictional case of Sean, it was time for one group of trainees to put theory into practice. The training exercise simulated actual fieldwork in every way, and the caseworkers' interviews were taped for later analysis.

"Simulations are pure experiential learning \_ a chance to practice all they skills they've learned," Mills said.

The simulated investigation began at St. Francis Hospital, where trainees interviewed the emergency room doctor who tended to Sean and a hospital social worker who met the family.

The trainees were expected to get a layman's explanation of the baby's injuries from the attending physician, along with a preliminary diagnosis, and the doctor's prognosis for Sean.

From the social worker, the group was to get information on the family, the circumstances leading up to the baby's arrival in the ER, and the family's history with the hospital.

In two weeks, they'll be out in the field for real, though their initial investigations will not involve life-threatening injuries or sex abuse allegations and their caseloads are supposed to be kept to under 12 for the first three months, Delmar said. Experienced caseworkers are handling an average of 42 cases, but many have caseloads ranging from 60 to 100 cases, Delmar said.

For now, the trainees were focused on learning how to conduct a child abuse investigation.

"How experienced is the doctor at diagnosing shaken baby syndrome?" asked Robert Ring, a veteran DYFS supervisor, during a conference with the trainees.

"We didn't ask that," one new caseworker offered.

"I'll tell you, then." Ring said. "She's very experienced. She's diagnosed at least 50 of these in her career."

Then Ring reminded his class: Don't take claims at face value. Probe deeper. Gather supporting evidence. A doctor's preliminary diagnosis carries greater weight if she's experienced.

The daylong exercise culminated with a visit to the motel room that Sean and his parents called home. DYFS workers acting the parts of the family tried to give the trainees an idea of the resistance they might face during an actual home visit by only grudgingly letting them in the door, turning up the volume on the TV, and arguing with one another to distract the investigator.

The exercise was challenging but insightful, said trainee Gary Byrne. "You go in thinking you're like Matlock and someone's going to say, 'Yes, I did it,' but they're not. You had to stay focused. You had to stay calm yourself."

Mills said he wasn't alarmed that the trainees slipped up over the drugs planted in the room, because they hadn't yet gained the experience to know what to do.

"They're new DYFS workers," he said. "After a while, they learn, 'My focus is on the child who sometimes can't tell me what's going on,' so I need to ask."

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## **Child abuse deaths hint at an agency still in crisis**

### **Reforms at DYFS are slow to take hold**

BY SUSAN K. LIVIO

Star-Ledger Staff

August 29, 2004

Despite New Jersey's efforts to fix its troubled child welfare agency, the number of children who have died so far this year from actual or suspected abuse or neglect is on pace to equal or exceed last year's 33 deaths, the highest number in six years.

Twenty-one children had died as of Friday, including 13 whose families had at one time been the focus of investigations by the Division of Youth and Family Services, the state's child protection agency. DYFS is seeking to discipline workers in two cases, according to state officials.

Twenty-two children had died by this time in 2003. The families of 18 of the 33 children who died last year had faced DYFS scrutiny.

New Jersey has earmarked more than \$140 million in new money since last summer to improve the agency's ability to monitor the 65,000 children under its supervision. The infusion followed the settlement of a class-action lawsuit against New Jersey that accused the state of failing to protect foster children.

Child advocates worry the 2004 statistics suggest that 19 months after Newark police discovered the battered body of Faheem Williams in January 2003, DYFS remains in crisis. The agency's handling of the case -- in which DYFS failed to investigate an earlier report that he had been beaten and scalded -- came to epitomize the agency's mismanagement and sloppiness.

Cecilia Zalkind, the executive director of the Association for Children of New Jersey, an advocacy group, said that while the agency's plans for reform are "very ambitious ... one thing we have been concerned about is what happens in the meantime. Kids can't wait for reforms. That's four years from now. ... DYFS needs an interim plan."

But DYFS Director Edward E. Cotton said last week that he thinks it is premature to judge the agency based on this year's numbers.

"It took a lot of time to get where we are. We are implementing changes that even national groups say are the way to go," he said. "I don't think there is a state in the union that is going to be monitored as closely as New Jersey."

He said a recurring theme in many of the cases was that DYFS workers failed to gather the evidence they needed to make sound judgments. In recent training sessions, Cotton said, he has stressed, "You can't believe anything that you haven't corroborated yourself."

Steve Cohen, the chairman of the court-appointed New Jersey Child Welfare Panel, which is overseeing the reforms, noted the state's plan received court approval only two months ago. He said it will take time to implement improvements in recruiting and training of staff and management.

But he added: "These things must happen very soon."

Eleven DYFS workers were disciplined last year for mistakes made in two high-profile cases. Two were suspended in the Faheem Williams case, and nine were fired in the case of four South Jersey former foster children who were found starving to death despite frequent visits to their home by DYFS workers. Five of those nine returned to work this year; the remaining four were allowed to retire or resign.

So far this year, Cotton has recommended suspending four employees -- two caseworkers and two supervisors -- in two cases. They could face suspensions of five to 15 days.

Two were involved in the case of Jibril Fuller, a 3-year-old from Irvington who died April 13 from injuries consistent with a beating. His mother's boyfriend, Darnell Smith, 27, has pleaded not guilty to his murder.

DYFS opened a file on the family in January after receiving a report the child had suffered bruises, according to public records and officials familiar with the case. DYFS officials disagreed with a doctor's opinion that the bruises suggested abuse, but required the mother, Chrishwanda Fisher, to sign an agreement promising to keep Smith away.

The Fuller case and several similar ones led DYFS to impose a new policy earlier this year that requires DYFS to contact law enforcement and medical officials if a case of suspected abuse involves a boyfriend, girlfriend or stepparent.

Cotton said there are two other lessons to be learned from the Fuller case.

One is that caseworkers will be expected to explain to their supervisors how they will implement safety plans for children under their supervision, such as keeping a suspicious boyfriend out of the house.

The other, he said, is that, "If you get a medical opinion, you don't override that physician unless you have a more reliable medical opinion."

Cotton also recommended discipline for a caseworker and a supervisor involved with monitoring 5-year-old Samuel Allen III of Trenton, who died six months ago. Left unsupervised with three siblings when his mother went to work on an overnight shift, the autistic child was scalded to death in a bathroom accident, according to authorities.

He said a review of the case disclosed that when DYFS investigated another report involving the family last year -- a brother's fear he would be beaten by his mother after being suspended from school -- a DYFS worker interviewed the boy in his mother's presence.

"What really bothered me is the child had been interviewed with his mother sitting right next to him," Cotton said. "Alleged victims of abuse must be interviewed alone."

State Child Advocate Kevin M. Ryan said there were other problems with the Allen case.

He said there is no record that DYFS checked out the family's baby sitters, who watched the children so the mother could work the overnight shift. According to state officials, the mother, Alicia Day, left her children alone the night Samuel died after a baby sitter canceled and her boss threatened to fire her. DYFS officials dispute Ryan's criticisms.

In another case, Cotton said, a review of the July 24 death of 3 1/2-month-old Jeffrey Johnson of Middletown showed that DYFS workers had misgivings about a family judge's decision to allow two other children to return home from foster care a month earlier.

While those children gradually were being reunited with their mother, DYFS workers and family court staffers had no idea the mother had given birth to Jeffrey prematurely in the spring. They learned of the baby's existence last month when police responded to a domestic violence call involving the parents and found the sickly child "unkempt" and "odorous," according to DYFS records.

Cotton defended the workers involved, saying the mother hid the child when they visited. In the wake of the case, he has instructed case workers to consider appealing judicial rulings they believe will jeopardize a child.

"I said to my staff that we are the people under the law who protect children. If you disagree (with a judge's decision), you need to be more assertive," he said.

Human Services officials also are investigating the death of a 14-month-old boy from Asbury Park on Aug. 22. The Southern Monmouth DYFS District Office had just closed an investigation involving him July 16 after an allegation of maltreatment was not corroborated, DYFS spokesman Andy Williams said.

"We're looking at our contact with the family to see how it was handled ... and why the case was closed," Williams said.

Cohen, the child welfare panel chairman, said he is not as concerned about the statistics as he is about "knowing whether they are reviewing these things in a timely way. Are they coming up with appropriate conclusions? Are they doing something about them? It's clear the quality assurance function needs to be built or rebuilt. It hasn't disappeared altogether, but everyone feels a lot more has to be done."

Ryan's Office of the Child Advocate will examine the cases that at one time involved DYFS. The office is also scrutinizing the state's prior involvement with two teenagers who committed suicide this year, he said.

"The stakes are incredibly high for tens of thousands of abused and neglected children. That was true last year and it's true today, Ryan said. "The difference between that day and this day is that there is a (reform) plan approved and resources being made available. Whether those things are making a difference, it's too soon to say."

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