

N.J. to limit disclosure on deaths of children

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Leaders at the agencies most responsible for New Jersey's child-protection agency say the state no longer will publicly disclose the details of DYFS prior actions when a child it has supervised dies from abuse or neglect.

The decision signals a change in policy after the state issued annual reports detailing what happened in each child-death case for the past six years. Instead, the state will issue reports focusing on trends it has found.



Star-Ledger file photoFaheem

Williams' grave in Union County. The 7-year-old's death in 2003 helped convince state leaders the Division of Youth and Family Services was failing to protect the thousands of children under its care. The inscription on the stone reads "Who will cry for the little boy?"

State officials say reporting individual cases is not a useful way to assess how the child-welfare system is working and publicizing details could hurt victims' families. They say with a federal monitor overseeing child welfare reform, there is enough oversight.

"We have a monitor who has access to everything surrounding anything that goes on in this department," said Kimberly Ricketts, commissioner of the Department of Children and Families, which is in charge of DYFS. "This is a very different system now, where on a regular basis we are looking at how decisions are made."

Child advocates, however, say they fear that without the names and detailed histories of the slain children's involvement with the state, DYFS can avoid public scrutiny.

"Public information and accountability are critically important for kids," said Cecilia Zalkind, executive director of the Association for Children and Families of New Jersey. "This is a system that has had extraordinary investment and an appropriate investment, and part of maintaining that investment is making sure the public is aware" of how the agency is functioning.



AP Photo/Courtesy of the Williams family Faheem Williams is shown in this undated family snapshot in Newark. On Jan. 5, 2003, his body was found in a storage bin one day after his twin, Raheem, 7, and another brother, Tyrone, 4, were found starving in a locked basement room in Newark.

It took the death of 7-year-old Faheem Williams six years ago to convince state leaders the Division of Youth and Family Services was failing to protect the thousands of children under its care.

Already horrified when Newark police found the boy's battered and mummified body hidden in a relative's closet, they were motivated to action by what was revealed next: DYFS had lost track of Faheem's family, then gave up looking without investigating a complaint alleging he and his brothers had been scalded and beaten.

Gov. James E. McGreevey promised "to end DYFS as we know it," and with the Legislature's support, embarked on what has become a \$1 billion-plus, court-supervised overhaul of the child welfare system overseen by a federal monitor.

The Office of the Child Advocate -- an independent agency created to assess DYFS effectiveness after the Faheem Williams case -- focused much of its attention from 2003 to 2008 generating reports on the 34 children who died from abuse or neglect.

It acquired otherwise confidential records, conducted interviews, assessed how the state performed and recommended how the system could improve.

Under the new plan, the Department of Children and Families and the Child Advocate are collaborating on a report with a little-known panel that has long-studied New Jersey child-death trends. State law prohibits the panel -- the Child Fatality and Near-Fatality Review Board -- from referring to children by name or citing specific cases in its annual reports.

The first joint report will be released within a month, panel Chairman Anthony D'Urso said. The collaboration "will raise the profile attached to child fatalities," D'Urso said, because "what we are seeing will be agreed upon by multiple sources." He vowed the report will make meaningful recommendations based on statistics and trends detected in confidential reviews.

The Child Advocate has been under the Public Advocate's office since Gov. Jon Corzine did not replace

Child Advocate E. Susan Hodgson after she left last year. Deputy Public Advocate Jo Astrid Glading said having the child advocate and the board review the same cases "is not an efficient way to advance meaningful progress."

"We're working closely with the chairman to bring a laser-like focus to case practice issues that are warranted," she said.

Ricketts said the decision also was made "out of respect for surviving family members," to spare them from reading about a public dissection of a child's death.

"Just because the gruesome details are not in the paper doesn't mean we are not being held accountable," she said.

Assemblywoman Sheila Oliver (D-Essex), who chairs the Human Services Committee, said she had no idea the reporting system was changing, and at first blush, she doesn't like it.

"Is this the direction they want to go in? Public policy and government should be attempting to be more transparent," said Oliver, who may sponsor a bill to ensure disclosure.

Under state law, the department must disclose the names of fatal child abuse victims, their dates of birth and death and whether their families have ever been under DYFS supervision. If so, the department must disclose how many times DYFS investigated a family, substantiated any complaints and which services the state provided to help reunite the family.

The Child Advocate reports, however, provided more details than required by law. Sometimes, they highlighted recurring problems and prompted policy changes.

A 2005 report examining the choking death of a 6-month-old boy left unsupervised with a bottle urged DYFS to better educate its workers about the services they can offer to families in crisis -- a recurring problem found in other cases.

Prior to the baby's death, his father acknowledged he had a drug addiction, but when he asked for help paying for treatment, the caseworker said there was no money available. Oliver said she anticipated a similar public review of DYFS' involvement with Jamarr Cruz, a 9-year-old Camden boy police say was murdered March 31 by Vincent Williams, his mother's live-in boyfriend, who was convicted of abusing him in 2007.

Oliver wants to know whether DYFS made the right call in closing the case four months before Jamarr died. Last fall, Williams was accused of "using excessive force to discipline" the boy, but investigators called the complaint "unfounded."

"It's clear to me what I read in the media, missteps were taken in that case," Oliver said.

Jamarr Cruz's paternal grandfather, Robert McGee Sr. said he has mixed feelings about the reporting changes.

He said reading about Jamarr in the press is tough, and he wishes close relatives had a say in what the state discloses about the child welfare system's role in children's lives. But he is angry his family has been denied access to information about what happened to Jamarr in the months leading up to his death.

"To say this is not an issue to be discussed I think is a coward way out. There were flaws in the system," McGee said.

Richard Wexler, executive director of the National Coalition for Child Protection Reform, said focusing on child-fatality cases sometimes prompts systems to overreact and needlessly remove children from their families. "But you don't solve that by providing even less information," Wexler said.

He said some states allow agencies like DYFS "to speak freely about individual cases under a wide range of circumstances."

"You can't fix a government system with one designated government watchdog, be it the Office of the Child Advocate or a review board," he said. "We all have to be the watchdogs, so we all have to have the information."