

Will Katz's efforts be enough to reform Connecticut's child protection agency?

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When Joette Katz was tapped to lead the state agency that has been under a federal court order for decades for failing too many of the state's abused and neglected foster children, child advocates and lawmakers were delighted.

The former state Supreme Court justice estimated it would take her a year to turn the agency around enough to shed court oversight.

Today, 2 1/2 years later, the court monitor reports that significant problems still linger at the state Department of Children and Families.

So is the honeymoon over?

Not quite.

“You are a breath of fresh air. It’s a big ship to turn, and you really are doing a great job,” the co-chairwoman of the legislature’s powerful budget-writing committee, Rep. Toni Walker, D-New Haven, told the commissioner this spring.

“I think her agency is doing extremely well,” Rep. Laura Hoydick, R-Stratford, a member of the Committee on Children, said from the floor of the House.

While praise from lawmakers is not hard to find, the commissioner who left a secure job on the bench at age 57 for the rough-and-tumble of running an agency that draws more and harsher public scrutiny than any other is still falling short, several advocates say.

“I guess some say I am a thorn in the side of that state agency,” Martha Stone, an attorney that represents and advocates for foster children, told a roomful of officials at the state Capitol complex recently. Stone's complaints that day were about long delays in arranging services for children caught up in the criminal justice system.

The shortfalls -- as cited in the court monitor’s recent report cards -- include not providing almost half of the foster children in state custody with the education, medical and/or psychological care they need.

Katz clearly keeps the court monitor's oversight front and center when she discusses her agency's future.

“I say to people, this order is not like fine wine, it’s not getting better with age.”

Changing how foster children “age out” of DCF

Sitting across the table from a 17-year-old who has been in foster care for years, Katz asked the same question she asked her son and daughter when they were seniors in high school.

“Have you applied yet for college?” she asked the teen, pointing out that deadlines are looming.

“This week. This week. I am going to get them out this week. There was a little mix up,” the Waterbury teenager responded.

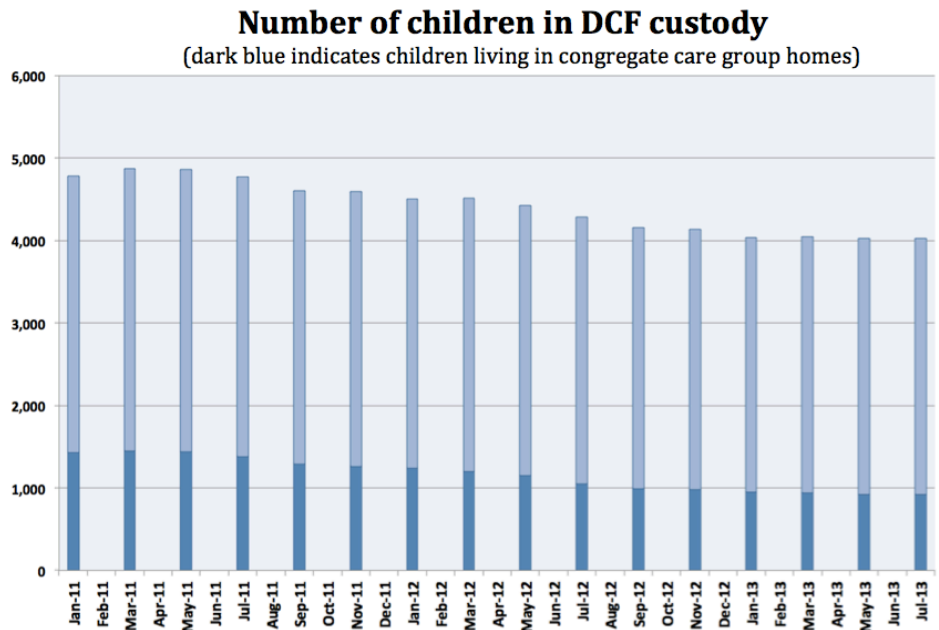
The consequences are harsh for the foster children who don't make it to college. Unless they are enrolled in an educational program when they become 18, they age out of the system, which means they are on their own and have no help with their living and other expenses.

About 15 percent of children who leave DCF care each year do so because they age out of the system, one of the highest rates in the country, according to Fostering Connections, a nonpartisan think tank that focuses on child welfare agencies.

This dubious distinction has followed the state for years.

In response, Katz has launched two initiatives to stop the exodus of children from state custody who lack either a family to support them or a college degree.

The first is aimed at keeping more families together. When Katz took office in January 2011, a national advocacy group reported that Connecticut ranked well above the national average in removing children from their homes, and it ranked near the bottom in terms of placing those children with other relatives.



With the number of children now in state custody down to 4,022 children in June (a 16 percent decrease since Katz took office) and one in four foster children now living with another relative (compared with one in six in January 2011), Katz has won the praise of both lawmakers and advocates.

But these shifts haven't solved the problem completely.

So this year Katz begun another initiative, called "team meetings", which brings together family members who may not have been suitable for children to live with but who could still be involved in their lives and whomever else the child has a connection to plan for their post-DCF life.

While child advocates are supportive of this transition planning, kicking the kids who decided not to continue their education out of care at age 18 is not the approach many of these advocates had been hoping for. Katz has come out against their requests for the state to apply for federal money that would allow for even more children to stay in foster care and receive services until they are 21 years old.

“I want to be clear, this is not about an expansion of services,” Katz, who has a reputation of being brutally honest, told legislators this spring.

Bringing kids home

After running away from her abusive family, Crystal Griffin spent years living in group homes and wherever else the state sent her to live across the U.S.

Being sent to live in Iowa certainly didn't help Crystal maintain relationships with the family members she did wish to stay in touch with.

While it's too late for this young woman, who has since aged out of care, the state agency's new approach is to try to keep kids as close to home as possible.

In January 2011, 364 children lived out-of-state. Today, it's fewer than 50.

The agency has done this without relying on group homes, where shift workers care for children. Katz has done this by keeping more children with their families despite some potential warning signs, a risk she urged her staff to take.

"We are opening ourselves to a pool that had been previously shut out," she said during an interview.

But she has faced some pushback on three fronts: from private providers, who are seeing fewer and fewer children heading their way; from advocates, who are concerned about sufficient housing being available for children with special needs in-state; and from the courts. After a judge ruled that a child who got in trouble with the law could be sent to live out-of-state despite DCF's opposition, Katz asked her former colleagues on the Supreme Court and in the legislature to give her agency the authority to make the call. They agreed, and gave her the final say.

Now the commissioner signs off before any child is sent to live out-of-state.

Legislative victories and struggles

Katz isn't too proud to beg for money.

"I just need a little bit more," she told Sen. Toni Harp, D-New Haven, co-chairwoman of the legislature's Appropriations Committee, in the final days of the legislative session during a forum at the Capitol.

Since Katz has taken office, she has been expected to reform DCF at the same time state lawmakers were cutting her budget (and those of other agencies) as legislators worked to close deficits.

Her lobbying this year only somewhat paid off.

Katz was able to persuade legislators to restore some of DCF's funding, although her budget is still down 5 percent from when she took office.

"We were one of the least damaged agencies," Cindy Butterfield, budget chief for the \$825 million agency, said last month to private providers that work with DCF.

Last year, when the governor raided \$28.4 million from her department to close a midyear budget gap, the agency told private providers that some of their reforms were at risk. Raymond Mancuso, the agency's federal court monitor, has reported also that funding levels for the agency have been a problem.

Playing this tug-of-war with the legislature for more help has become part of Katz's routine.

As the hours wound down during the final day of her first legislative session, Katz's priority bills still needed to be approved. The commissioner journeyed to the floor of the state House of Representatives to pressure legislators to pass them.

Arms folded as she glared at the voting board, Katz's reforms were approved by legislators with no debate and one minute before the General Assembly was constitutionally required to adjourn for the year.

"I just laugh," she said. "As someone who spent [her] career parsing sentences and figuring out where the comma goes and desperately looking for statutory tools of interpretation and legislative intent, and then watching anything of real significance for this agency getting passed in the last five minutes, I remember thinking what the hell have I just been doing for the last 20 years?"

Major challenges remain

With thousands of foster children significantly behind in school, the agency employs two education consultants.

“The scores for foster care children are in the 2 to 5 percent [passing], and so one of the things that is really clear to me is that as a state we’re really not paying attention to educational outcomes of our foster children,” Harp, the New Haven senator, told Katz recently.

“When I saw the numbers,” Harp said, “I was astounded by them and, frankly, appalled by them given that we have removed these children and are supposed to be giving them a better opportunity, not less of one.”

Foreseeing this coming tsunami against her agency as advocates pressured legislators to force DCF to fix this problem, Katz decided to call on lawyers across the state to volunteer their services.

But is a small group of lawyers enough to solve the educational needs of thousands of foster children?

Legislators didn’t think so and passed legislation that requires the agency to work with the State Department of Education to launch programs in Bridgeport, Hartford and New Haven aimed at improving the educational outcomes of foster children. Legislators also decided they want two reports by next year: one on the progress of foster children in school, and another on the value of the nontraditional alternative schools, where many foster children end up.

DCF faces other problems.

Hundreds of children cannot leave their foster home or group home for no other reason than their parents are homeless.

The agency has shed social workers as its budget was cut, which has left those who remain with “daunting workloads,” as the court monitor reported earlier this year.

The number of foster homes available for abused and neglected children also continues to fall well short of what’s needed, the court monitor routinely reports. This leaves many children lingering in large group facilities or inappropriate placements.

“She does have some major hurdles to clear to push forward. She has some really hard work to do. There are some really big challenges that she is going to have to tackle with that same tenacity she has tackled some of these other problems,” said Ira Lustbader, associate director of the national advocacy group Children’s Rights, which represents the plaintiffs in the “Juan F” lawsuit that prompted court monitoring 22 years ago.

“Are the needs met of these children? That is a measure she has been quite stuck on the entire time of her tenure,” he said during a recent interview.

Is the end of federal supervision near?

Three Connecticut governors before Gov. Dannel P. Malloy failed to reform the state’s child welfare agency enough to end federal oversight.

Katz — the Democratic governor’s choice to fix this vast, troubled agency — said during an interview that her goal now is get out from under court oversight by the end of Malloy’s four-year term, which is January 2015.

“I want to see the fruits of everyone’s labor pay off from the changes we have put in place,” she said.

Katz, who earns \$170,335 as commissioner and a judicial pension of more than \$100,000, is the ninth commissioner with aspirations to end oversight.

“Getting there is really going to be a challenge. Do we have a long way to go? Yes,” said Mickey Kramer, who for the last 15 year has worked at the state’s Office of the Child Advocate, an independent state agency that is typically critical of DCF. “At least we are heading in the right direction.”