

New man takes on state's toughest job

Davy's swearing-in is called good news for DYFS children

BY SUSAN K. LIVIO Star-Ledger Staff April 15, 2004

Gov. James E. McGreevey's longtime confidant, James M. Davy, took the oath yesterday as commissioner of the Department of Human Services, and the minister who swore Davy in welcomed him to the toughest job in New Jersey.

Delivering the opening prayer, Monsignor James A. Burke, formerly of Davy's home parish, St. Helen's Roman Catholic Church in Westfield, said no accolades could soften the reality that Davy "has been given the most thankless, difficult, massive, unforgiving, contentious, backbreaking and unrewarding job in New Jersey."

Yet the appointment, Burke said, is good news for the thousands of maltreated children whose well-being hinges on the dedication and skill of the department's Division of Youth and Family Services, the failing state agency that Davy has promised to reform.

"Thousands ... in the DYFS system may not know it yet, but today they were blessed with -- in the finest sense of the word -- a godfather who honestly, honest-to- God cares about them and about their families, and also their future," Burke said.

As acting commissioner since Jan. 10, Davy is already being credited by several lawmakers with bringing some stability to DYFS, an agency battered by scandals last year. He has begun hiring some much-needed relief for embattled front-line caseworkers and he has submitted a \$320 million blueprint that helped the state meet a court order requiring the agency be overhauled.

Davy's swearing-in was greeted with two standing ovations inside the General Assembly Chamber yesterday, where about 200 lawmakers, friends, associates and department employees gathered.

In addition to abused children, Human Services serves one of eight people in New Jersey who is poor, mentally ill, physically impaired or developmentally disabled. Disability advocates who attended Davy's swearing-in said they are impressed with his resolve to fix DYFS, and are patiently waiting for their turn.

"We have the confidence in him he will be able to serve all the needs of the Human Services community," said Thomas Baffuto, executive director of the Arc of New Jersey, an advocacy group for people with developmental disabilities.

Baffuto noted that Davy last week urged the Senate Budget Committee to think about finding more than the 1 percent cost-of-living increase McGreevey has set aside for social service agencies that serve state clients with disabilities.

"He has spoken publicly on the issues we are facing. He is speaking publicly to groups that can hold him accountable. In three months' time, that's the most you can hope for," Baffuto said.

Marie Verna, director of consumer advocacy for the Mental Health Association in New Jersey, said "it would be irresponsible" for Davy not to focus on DYFS at this time.

Verna added that what's good for DYFS will ultimately benefit adults with mental illness. "There are data that say 60 percent of adults in the public mental health system were not protected as children," Verna said. "It is very clear there is a relationship" between the child welfare system and the mental health system.

After taking the oath administered by Supreme Court Justice Barry T. Albin, Davy, 50, of Pennington, reflected on his nearly three decades of government service -- including 10 years as then-Mayor McGreevey's business administrator in Woodbridge.

"During my 27 years of public service, which I have accomplished much ... the work I am doing now on behalf of the most vulnerable members of our society is to me the most important and significant work of my career," he said.

DYFS overhaul hailed here

By SEAN C. McCULLEN Bridgeton News Friday, April 16, 2004

BRIDGETON -- While the state Division of Youth and Family Services has been heavily scrutinized in recent months, the outlook was all positive as newly appointed Department of Human Services Commissioner James M. Davy discussed a comprehensive reform initiative with local community service providers Thursday morning at the Everett P. Marino Center.

The proposed reform plan would cost \$320 million through 2006, result in the hiring of nearly 1,500 DYFS staff and rely heavily on collaboration with community-based organizations throughout the state.

Davy, who had been serving as acting commissioner for two-and-a-half months following the tumultuous end to former Commissioner Gwendolyn Harris' tenure, was sworn in as commissioner Wednesday.

On Thursday, he came to the city to discuss the reform plan, approved last month by the court-appointed New Jersey Child Welfare Panel.

The plan would result in the state hiring 1,463 new DYFS staff and millions of dollars being funneled to community-based substance abuse, mental health, housing services and domestic violence programs, both of which would seek to reduce the load on DYFS case workers.

"It's urgently needed. It's a plan that must be implemented," Davy told the crowd of approximately 150, hailing the plan as the most comprehensive child welfare plan in the country.

In Cumberland County alone, 51 DYFS workers were handling cases involving a total of 2,200 children, according to Human Services spokesman Joe Delmar.

Davy said caseloads that have been "simply too high" created "bad decision-making, mistakes and failures in the system."

Two case workers and two case aides are about to be hired for the local office as part of 158 hires statewide made possible by the procurement of an additional \$7 million for the 2004 DYFS budget, Delmar noted.

Gov. James McGreevey and state Treasurer John McCormac support the spending necessary to back the reform plan, Davy said, but all concerned parties are still courting votes in the state Legislature. He spoke before the Senate budget committee last week and will meet with the Assembly budget committee April 20.

"I'm saying 'Enough is enough.' The governor is saying 'Enough is enough.' ... We've got a moral imperative to get this done. Now is the time," Davy said, imploring those in attendance to contact legislators.

Delmar acknowledged that the negative publicity that surrounded the Jan. 5 discovery of a 7-year-old Newark boy's decomposing body in a relative's closet 11 months after DYFS closed a case without following up on an abuse complaint pushed calls for reform to the forefront of McGreevey's agenda.

"Unfortunately, to get the attention you need to get support for the children's services, you need a tragedy like that to happen," he said.

Both Delmar and Davy noted the problems DYFS is currently facing are the culmination of more than 10 years of insufficient financial support, poor technology, overburdened workers and a lack of detailed procedures and guidelines.

The reform plan would attack all of those problems, according to Davy, who noted the approach has four fundamental obligations.

"Safety is our No. 1 job," he said. "We must assure the safety of the children under the plan, or we are not doing anything."

To achieve the "No. 1" goal, DYFS will establish a centralized process for case screening, hire additional forensics-trained investigators, seek more timely investigations, and conduct face-to-face safety assessments that will be "double-checked and triple-checked."

The second goal of the plan is to provide permanency for children by keeping foster care short-term by getting children moved back in with their parents as soon as possible.

"If a family situation falls apart, and a lot of you know it often does, then we'll be working for adoption right away," Davy said.

The third goal is to establish strong ties with community-based organizations -- schools, churches, non-profit services - - to assure children have "what a child needs to grow."

The fourth goal, which Davy described as "the most exciting", is the prevention aspect of the reform plan.

"We have to find a way as a society and as a state to up front help families" before DYFS involvement is necessary, he said.

Claiming that substance abuse is at the "core" of 80 percent of DYFS cases, Davy called on many of the service organizations in attendance to work to help parents in order to possibly negate DYFS involvement or, when needed, to let the DYFS workers focus on the needs of the children.

Michael Cudemo, communications director for Tri-County Community Action Partnership , which operates the Marino Center and hosted the event, estimated between 30 and 40 schools, churches and social-service organizations attended.

Kate Myers, attorney with South Jersey Legal Services, a non-profit that provides legal advice and representation for impoverished people, was encouraged by Davy's visit and the charisma he displayed.

"I think that it is great that he is taking such a hands-on approach. It's nice to see his enthusiasm and support," she said.

Philadelphia Inquirer Editorial April 20, 2004

Reforming N.J. Child Services

A good plan, poorly sold

As the New Jersey Legislature decides how much money to put behind ambitious reforms for the Division of Youth and Family Services, let this be its motto:

Be watchful, but be bold.

It's easy to doubt and bash an agency as historically troubled as DYFS. But thousands of children around the state need Democratic Assemblyman Louis Greenwald and State Sen. Wayne R. Bryant to do more than that.

The children need these savvy Camden legislators, each of whom chairs his chamber's budget committee, to find a way to fund a solid reform proposal put forth by James Davy, the new commissioner of the Department of Human Services.

Expect Davy to make a strong case at a hearing today before Greenwald's committee that the DYFS request for \$125 million in the next fiscal year can be well spent.

A DYFS that did its job well might have saved the life of Faheem Williams, whose body was found beaten and starved in a Newark basement. It might have spared Bruce Jackson and his brothers from severe malnourishment in their adoptive home. These cases were not impossible to monitor.

These children and others have had their sufferings compounded because the political will to overhaul DYFS was lacking. Does that will now exist, at long last, after all the high-profile tragedies of recent years? This budget process is the test.

Lawmakers should remember that public outrage over the incidents isn't the only force pushing needed changes, such as better training and more front-line staff. A lawsuit settlement requires DYFS to do better by the state's children.

If lawmakers don't come up with the bucks for this court-mandated plan, a judge might order it - at a cost that could be far higher than the current price tag of \$320 million over two years. (Think: Abbott v. Burke. Years of procrastination on that school funding equity case cost both students and taxpayers much.)

That's why lawmakers best serve taxpayers by taking control of the DYFS project now. That's why Bryant and Greenwald should make good on recent, conciliatory remarks that they will work with Davy in implementing the plan. Greenwald last week told *The Inquirer*: "I don't think anyone would deprive these children of a dime."

Then why has the legislature been churlish so far, approving only \$7 million instead of the requested \$15 million to jump-start reforms this year? Chalk much of it up to poor planning and lousy politics by the McGreevey administration. When the plan was rolled out, it lacked key benchmarks for accountability. Legislative leaders like Greenwald hadn't been briefed on the plan as it took shape.

But botched politics should not trump fixing DYFS. To shortchange these reforms is to endanger children whose names we do not yet know.

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Washington Area Study Reports Harsh Consequences for Child Abuse Victims

Press Release Source: The Center for Child Protection and Family Support

WASHINGTON, April 20 /PRNewswire/ -- According to a new study of individuals who work with children from Maryland, Virginia, and the District of Columbia, more than two thirds (69%) of the respondents believe that victims of child abuse are likely to perform poorly in school and are likely to drop out. Nearly two-thirds (64%) of these respondents also anticipate that sexually abused teenage girls who run away from home are likely to become involved in prostitution. These findings are based on an exploratory study of Washington, DC-area metropolitan service providers who deal daily with children and families.

The findings on practitioners' perspectives on the alarming consequences of child victimization were released today by the Center for Child Protection and Family Support at a one-day regional conference on child victimization designed to help parents, professionals, and policymakers understand the scope and depth of child sexual abuse and to develop effective strategies for helping its victims.

More than four-fifths (85%) of the professionals demonstrated an understanding of prevention strategies for child maltreatment, though these are often complex situations that providers may be unsure about how to proceed when they recognize symptoms of maltreatment, the study found. In addressing child abuse prevention, 81% of the respondents in the study indicated the community could do more to support families in stress. Less than 44% were confident about the effectiveness of child protection agencies in protecting vulnerable children.

The Center, in partnership with McFarland and Associates, an independent research firm based in Silver Spring, Md., conducted the exploratory study of Washington, DC-area providers based on a perceived need to clarify the realities and dispel the myths of child victimization and to serve as the basis for discussion at the regional conference. The study provided an examination of whether providers who work with children and families have a firm understanding of the scope of childhood victimization issues, and are able to communicate effective messages to parents about safety and protection of children and adolescents.

The methodology for the Center's study involved a multi-disciplined cross section of professionals, parents and youth participating in focus groups and telephone interviews with professionals who deal with child victimization, and responses to a short survey. Fifty-five study participants were chosen (25% male, 75% female), ranging from a 15-year-old youth peer counselor to a career health-care provider. The participants were from the District of Columbia, Maryland (Howard, Montgomery, and Prince George's Counties), and Virginia (Fairfax and Arlington Counties).

The survey sample was diverse across a range of measures, including ethnic/cultural backgrounds, gender, cross-jurisdictional practice issues, professional discipline and level of expertise. Although the level of education varied, most (75%) reported having a bachelor's degree or higher. Respondents represented public agencies, private non-profit organizations, business, and academic institutions. The approach to the conclusions consisted of a review of existing data from professional literature integrated with current data obtained through the focus groups and interviews.

Joyce N. Thomas, president and co-founder of the Center based in Washington, D.C., said, "To deal effectively with child abuse problems, we thought it was essential to develop a greater understanding of its scope and consequences on a local level. Our study focused on the experiences, understanding, and recommendations of individuals who intervene and provide health care, community-based social services, and mental health, and judicial services to children and families in the Washington metropolitan area."

When asked about the effects of child sexual abuse on toddlers and pre- school children, almost all (94%) the practitioners correctly identified symptoms presented in interview questions. Fewer (47%) showed a clear understanding about the consequences to children witnessing violence.

Practitioners were able to recognize the various forms of child maltreatment, but in questionable or complex scenarios, less than a third had a clear understanding on how to proceed. Seventy-six percent recognized that children with disabilities seldom get reported to authorities for alleged child victimization, while 72% recognized that children living in residential group homes or foster care are more likely to be victims of abuse. Also, three-fourths of the practitioners indicated that parental substance abuse most often is a major contributing factor in reports of child abuse.

When it comes to strategies for handling certain situations that have become more prevalent, 57% of practitioners felt comfortable counseling a new parent on preventing shaken child syndrome, while 75% indicated they would be comfortable counseling parents of pre-teen children about Internet safety. In response to questions on "teen dating violence," 70% of the practitioners recognize the importance of involving authorities, even if the adolescent is minimizing the situation.

Based on the study results and The Center's work with child victims it is making several recommendations to parents, practitioners and policy makers. These include:

- * Increase public awareness about the problem of child victimization in order to break the cycle and address the myths and gaps that challenge our ability to better serve children and families.

- * Develop policies and public education to better inform parents, young children and adolescents about the complex problem of child sexual abuse, particularly as it relates to Internet crimes, the dangers of child pornography, statutory rape and other forms of sexual exploitation.
- * Require continuing education for all practitioners who work with children and families. This training, which should be linked to licenses and professional certification requirements, must specifically address prevention, intervention and treatment strategies.
- * Organize a regional forum to document and monitor the trends and needs of children and families in the Washington metropolitan area relating to child abuse and neglect cases.

"We all have the responsibility to protect our children against abuse," Thomas said. "Every child deserves a childhood that is free from abuse and neglect."

The Center for Child Protection and Family Support of Washington, DC works to ensure all children are given the opportunity to mature and develop within a family free of maltreatment, and in a community that nurtures and protects them from violence. Prevention, education, early intervention, and mental health treatments are the focal point of the Center's approach for working with child victims and their families. More information can be found on the Center's new web site at www.stopchildabuse.org.

Source: The Center for Child Protection and Family Support April 20, 2004

Boy's death puts DYFS on the spot

Published in the Home News Tribune 4/22/04

By LILO H. STANTON
GANNETT STATE BUREAU

New Jersey child-welfare workers visited a 5-year-old Asbury Park boy twice in recent years before little Kedar Norris died in late March of severe stomach injuries, sparking fresh concerns about the state's embattled Division of Youth and Family Services.

Monmouth County Prosecutor John Kaye's office confirmed yesterday it has launched a homicide investigation into Kedar's death, but declined to identify the target of the probe.

The state Child Advocate's Office also said it will examine how DYFS handled the case.

Kedar is the eighth New Jersey child to die this year of abuse or neglect; at least four of those children, including Kedar, had a history with the state child-welfare agency.

"They plainly didn't do their job," said Kedar's father, Jeff Norris, who is separated from Kedar's mother and lives in Neptune. "I'm sick and tired of them losing babies. It seems like there's another child being killed every day."

DYFS spokesman Ed Rogan said agency workers did visit the family in November 2002 and May 2003, but both cases were closed when they couldn't substantiate abuse or neglect.

"It's another tragic death of a New Jersey child, and everyone here is concerned," Rogan said. "(Human Services) Commissioner (James) Davy is very concerned, and he's ordered a full review of our handling of the case."

Kedar lived with his mother, Netasha Smith, her boyfriend, Royce Berry, and two brothers, 3-year-old Kaleem Norris and Jaiden Berry, 19 months. Jeff Norris and other sources familiar with the DYFS report said caseworkers visited the family in Asbury Park twice since November 2002, after Kedar first told his Head Start teacher that Royce Berry had abused him.

Norris and others said Kedar first reported that Berry had punched him and squeezed his penis when he didn't obey. In May 2003 the boy again told his teacher -- with his father present -- he had suffered similar abuse; Jeff Norris said Kedar also told him Berry had stuffed a sock in his mouth and taped it shut.

But DYFS found neither case warranted follow-up supervision.

On the afternoon of March 29, Smith took Kedar to a Neptune doctor after calling ahead to say he had been vomiting all morning. The DYFS report claims the boy arrived unconscious, not breathing and with a swollen belly, and that the doctor expressed surprise Smith didn't take him directly to the hospital, Norris and other sources said. The doctor called 911 and Kedar was transported to Jersey Shore Medical Center, but died on the way, they said.

An autopsy found Kedar died of blunt-force trauma to the abdomen, which caused peritonitis -- or the rupturing of his intestines -- which essentially poisoned him, First Assistant Monmouth County Prosecutor Robert A. Honecker explained. This is the second-leading cause of child-abuse deaths, Honecker said.

The DYFS investigation -- mandatory when abuse is suspected in a child's death -- notes conflicting accounts of what happened that day, Norris and others said. After the doctor grew concerned, Smith said Kedar had been vomiting for several days. Berry said Kedar's brother, Kaleem, jumped on his stomach during play. Kaleem later said it was Berry who punched Kedar repeatedly, a story he has since repeated to investigators, Norris and others said.

Norris, who had joint custody of both Kedar and Kaleem, said he had planned to take the boys to a movie later that day. He said he had earlier telephoned Kedar, who was not feeling well but told his father, "I want some water, but I'm going to make it to 'Scooby-Doo' (the movie)."

"That was the last I heard from my son," Norris said, adding that he learned of Kedar's death later that day when Berry's mother and her boyfriend -- a couple he had never met -- came by his parents' home in Jackson, where Norris was staying, to say "Kedar didn't make it."

"I have no more tears to cry. I'm just angry," Norris said.

Kaleem and Jaiden Berry have since been removed from Smith's care, Norris and others said. Smith and Royce Berry did not respond to telephone messages left at their home or the home of Berry's mother, Pia King.

DYFS has been under intense scrutiny in the past two years and has started to overhaul its organization, beef up staff and increase its focus on child-abuse prevention. Gov. James E. McGreevey is seeking an additional \$125 million for the agency in this year's budget.

The agency made national news in January 2003 when Newark police found the remains of 7-year-old Faheem Williams stuffed in a plastic container in his aunt's basement, where two of his brothers had also been locked and underfed.

In October, 19-year-old Bruce Jackson of Collingswood -- who weighed 45 pounds -- was found rummaging through a neighbor's trash for food. Police later found Jackson's three brothers also starving, although their adoptive parents said the boys had eating disorders.

DYFS had a history with both families.

This year, three other children whose families had contact with DYFS have died. Four-month-old Nevon Collins of Ewing drowned in a bathtub at home on Jan. 7; Samuel Allen, 5, scalded himself at home in Trenton; and Jabril Fuller, 3, died April 13 in Irvington.

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DYFS had been contacted about Asbury boy, two others

Published in the Asbury Park Press 4/23/04

By LILO H. STANTON GANNETT STATE BUREAU

TRENTON -- Five-year-old Kedar Norris of Asbury Park was the third child in less than a month to perish after the

state's beleaguered child-welfare agency had looked into charges of abuse, state officials confirmed yesterday.

Monmouth County prosecutors are investigating Kedar's March 29 death of massive stomach injuries as a homicide, according to the Prosecutor's Office.

His death and those of Jabril Fuller, 3, on April 14 in Irvington and Agee Anderson, 9, on April 18 in Newark have raised new concerns for child-welfare advocates, who worried yesterday about whether the state's long-term reform effort has overshadowed immediate improvements at the Division of Youth and Family Services.

Kedar's father, Jeffrey Norris, said he wants answers about how his son died, and he also thinks the issue is much larger than Kedar.

"Our real goal is justice not only for Kedar but for all the other Kedars out there," Norris said yesterday. "I'm sick of reading about kids dying. I'm disgusted."

DYFS staffers visited Kedar in November 2002 and May 2003, after he complained to a teacher that his mother's boyfriend beat and sexually abused him, but officials closed the case.

"Change can't wait for the perfect plan, the perfect implementation, and all the funding," said Cecilia Zalkind, executive director of the Association for Children of New Jersey. "The division certainly can't ensure that every child, in every family, is safe. But I think this pattern of child abuse cases that are investigated, closed or not even opened should trigger a higher level of inquiry. And it's certainly not happening."

"When is somebody going to actually do what's right for the kid?" Jeffrey Norris' brother, Michael Byers, said yesterday. "(DYFS) didn't do their jobs all the way around. . . . If they had done their job in the first place, he'd be alive."

DYFS spokesman Andy Williams said yesterday that improvements have been made while the state works to formulate a better future. "Unfortunately, at the same time the caseload has expanded dramatically," Williams said.

First Assistant Monmouth County Prosecutor Robert A. Honecker Jr. said yesterday there have been no new developments in the investigation of Kedar's death since it became public Wednesday.

Kedar lived on Comstock Street with his mother, Netasha Smith, 30; her boyfriend, Royce Berry; and two brothers, Kaleem Norris, 3, and Jaiden Berry, 19 months. Nobody answered the door at the Comstock Street home yesterday.

A DYFS file on the Norris case shows that Kedar had told his Head Start teacher in Asbury Park at least twice about suffering abuse at the hands of Berry.

But DYFS found neither complaint warranted follow-up supervision.

An autopsy found Kedar died of blunt-force trauma to the abdomen, which caused peritonitis -- the rupturing of his intestines, Honecker said. Peritonitis is the second-leading cause of child-abuse deaths, Honecker said.

In the other recent cases, Irvington police have arrested the boyfriend of Jabril Fuller's mother. The 3-year-old died April 13 after the man allegedly beat him for hours. DYFS had opened an investigation into re-reported abuse of Jabril in January.

Essex County officials have charged a 38-year-old Newark man with beating 9-year-old Agee Anderson after the girl broke his fish tank; she died April 18. DYFS had visited the family five times since 1992.

Williams pointed out that DYFS appropriated an extra \$2 million in January to pay for overtime and recruit more foster families, and it has hired 72 new caseworkers this year.

Lawmakers recently approved \$15 million more to add 158 staff members this year and to retrain 3,000 workers. But the training effort has been delayed for months, and it will be at least six months until they are completely trained and

ready to take on a full caseload, he added.

"Even with a special project to close cases, we're opening as many as we close," Williams added.

In January, DYFS oversaw 46,985 children, and now they track 65,235, even though they've closed thousands of files this year, he said. Case-workers often have more than 40 children in their care.

In February, Gov. McGreevey announced an ambitious plan to overhaul the division. The plan includes an infusion of an additional \$320 million over the next 2 1/2 years.

He pledged to reverse a "generation of neglect" and rebuild an agency that made national news several times last year, after police found the body of 7-year-old Faheem Williams in a plastic bin in a locked basement room in Newark and Bruce Jackson, who at 19 weighed 45 pounds, was found foraging through a neighbor's trash for food in Collingswood. Both families had a history of DYFS visits.

But the recent news has sparked a new round of internal and external probes, including a review by the independent Child Advocate's Office.

"I'm greatly worried by this recent death," Advocate Kevin Ryan said. "I think getting the training academy up and running has to be a top priority."

Changes at DYFS were sparked by a federal lawsuit filed in 1999 by Children's Rights Inc., an advocacy group that had forced reforms in New York and other states. The suit charged DYFS was poorly managed, overburdened and underfunded, putting children at risk. The legal matter was settled in June, and DYFS officials were forced to create a long-term plan, to be reviewed by a outside panel of child-welfare experts.

"It's not unfair to expect the state to act in due haste to prevent these tragedies from happening," said Susan Lambiase, associate director of Children's Rights. "They need to be very, very careful in planning for the long-term over-haul. But they also need to pay attention to the most immediate and dangerous situations. Politics has to cut through all of this and they have to act with all due speed."

Staff writer Tom Troncone contributed to this story.

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Kids' deaths prompt DYFS to revamp policy

Abuse claims involving parent's partner would get 'high-risk' label

BY SUSAN K. LIVIO Star-Ledger Staff April 29, 2004

Responding to an increase in the number of children allegedly killed by their mothers' boyfriends, the state will enact a policy to automatically identify as "high risk" any child abuse or neglect claim that involves a parent's partner, Human Services Commissioner James Davy said yesterday.

Four of the 13 children who have died this year from suspected abuse or neglect were allegedly killed by their mothers' boyfriends -- one more than in 2002 and 2003 combined, Davy said.

"It seems clear that this risk has not been taken seriously enough -- not in the community, not by the children's mothers and not by those of us in the child welfare agency," Davy said during a news conference in Trenton to announce the new policy. "That changes now."

The 13 suspected child abuse deaths so far this year puts the state on track to match or surpass the 37 recorded last year, said Andy Williams, spokesman for the Division of Youth and Family Services, an agency the Human Services Department oversees. Last year's total was the highest in 13 years.

Eleven of the 13 families in which a suspicious death occurred this year had a history with DYFS. From 1998 to 2002, DYFS had at least some contact with families in 81 of 123 child deaths, according to a report by former Commissioner Gwendolyn L. Harris released in July.

Williams cautioned, however, that some of this year's cases involve only a suspicion of abuse. It is not uncommon, he said, for DYFS investigators to later prove a death was accidental.

Davy said he has grown so concerned about the number of deaths this year and the circumstances surrounding them that he held a meeting Tuesday with senior and regional managers to discuss what went wrong and how the agency could learn from the mistakes.

The so-called "paramour" policy Davy unveiled yesterday emanated from that meeting, he said.

"This was a productive exercise, and we will do it on a regular basis," Davy said. "If there are lessons to be learned in these cases, they have to reach everyone in the organization."

Under the new policy, which takes effect next week, any case of suspected child abuse that DYFS believes involves a boyfriend, girlfriend or step-parent will be automatically referred to law enforcement officials and medical experts.

DYFS workers also must interview the parent and partner separately, and all children must be interviewed outside the home without the parent present.

More home visits also will be required. If a claim of abuse cannot be substantiated, DYFS staff must re-interview the person who made the complaint before closing the case.

The policy may have made a difference in the way DYFS handled the case of 3-year-old Jibril Fuller of Irvington. Police have charged the boy's mother's live-in boyfriend Darnell Smith, 27, with killing Jibril on April 13.

DYFS opened a file on the family in January after receiving a report the child had suffered bruises. His mother, Chrishawnda Fisher, first said the bruises were caused by a fall. She then accused Jibril's older brother of striking him.

"A doctor said that was not possible, but (DYFS) staff overrode the medical decision," DYFS Director Edward E. Cotton said. The investigation was still unresolved at the time of Jibril's death.

Apparently sensing that Smith was a problem, the DYFS caseworker ordered Fisher to make him move out. Had there been more frequent visits to the home, the caseworker may have been able to prove that Smith was still living there, Cotton said.

Other children authorities say were killed by a parent's partner include 9-year-old Ajee Anderson of Newark, who died April 18; 5-year-old Kedar Norris of Asbury Park, who died on March 29, and a 20-month-old girl from Newark, who died Feb. 28.

DYFS declined to identify the toddler yesterday because police and the agency have not identified the suspect yet.

State Child Advocate Kevin M. Ryan said he fears the new policy may have a limited effect if DYFS staff are not properly trained. A court-mandated reform plan DYFS must undergo calls for better and more comprehensive training for all its staff.

"Our work indicates there are already times when there are high-risk indicators and they do not lead to caseworkers opening cases," said Ryan, whose office reviews all child death cases to highlight systemic problems. "The important thing is to get the training academy up and running so that changes in policy are realized in field practice as quickly as possible. The primary obstacle is the breach between policy and practice."

DYFS compelled to watch kids abused by parents' lovers

Published in the Courier News on April 29, 2004

TRENTON -- The state rushed Wednesday to put in place new regulations for monitoring the welfare of children after a 5-year-old Asbury Park boy became the fourth child this year to perish following alleged abuse by the boyfriends of their mothers. "I don't know if you can rely on the mother," said Human Services Commissioner James Davy.

He was referring to instances where a mother might not believe a boyfriend abuses a child, or where the mother cannot monitor the household to ensure the boyfriend has no contact with a child.

These were issues that arose as the Department of Youth and Family Services received emergency orders Wednesday for dealing with cases where a paramour is accused of neglect or abuse.

"Already this year," Davy said, "we are investigating four child deaths in which the paramour has been criminally charged or was identified as a suspect. It seems clear that this risk has not been taken seriously enough. ... That changes now."

In a package of regulations expected to be in place early next week, the DYFS workers will automatically upgrade to "high risk" any allegation involving a boyfriend or girlfriend.

- Parent and paramour then must be interviewed separately, and the child will be interviewed outside the home.
- DYFS workers will make more frequent visits to the home, and will alert police and doctors, who will have to file a "body chart" identifying injuries.
- If a charge is not substantiated, a DYFS worker will have to visit the home before closing the case.

Davy is trying to remake DYFS after a child's-rights group sued New Jersey for operating a fundamentally flawed child-care system, where some of the 65,000 youngsters in state care, or being monitored by the state, suffered neglect, abuse or death.

But Davy stressed the spate of paramour-related incidents meant the state could not wait for an entire DYFS reform package.

"Every (paramour) case will be handled as high-risk," Davy said.

Last week, Gannett New Jersey reported the Asbury Park youngster was the third child to die in less than a month after alleged paramour abuse.

DYFS workers had been alerted in each of the three cases.

In Monmouth County, prosecutors are investigating the March 29 death of Kedar Norris as a homicide. He died of blunt trauma to the abdomen, according to police reports.

DYFS workers had seen the boy in November 2002, and again in May, when he complained that his mother's boyfriend beat and sexually abused him, but officials closed the case, sources and family members told Gannett.

Irvington police have arrested the boyfriend of Jabril Fuller's mother; the 3-year-old child died April 13 after the man allegedly beat him for hours. DYFS had opened an investigation into reported abuse of Jabril in January.

Essex County officials have charged a 38-year-old Newark man with beating 9-year-old Agee Anderson after the girl broke his fish tank. She died April 18. DYFS had visited the family five times since 1992.

Lawmakers recently approved \$15 million to add 158 DYFS workers this year, and to retrain 3,000 employees.

DYFS workers go into homes to check on reports children may not be receiving proper care.

Children's Rights Inc., an advocacy group, sued New Jersey in 1999, charging DYFS had been badly managed, overburdened and underfunded, putting children at risk. The state now has to implement a reform that will be reviewed by outside experts.

DYFS wants a word with boyfriends

The deaths of four children are attributed to paramour cases. The agency is acting to ensure that warning signs are heeded.

By Mitch Lipka Inquirer Trenton Bureau Apr. 29, 2004

TRENTON - With four of 13 suspected child-abuse and neglect deaths in New Jersey this year attributed to boyfriends of the children's mothers, the state is making so-called paramour cases a higher priority.

The four deaths this year surpass the three in 2002 and 2003 combined, Human Services Commissioner James Davy said yesterday as he announced that such cases would be considered "high risk."

Citing some questionable judgments made by Department of Youth and Family Services workers in at least one of the cases, Davy said a policy being drafted by DYFS Director Edward Cotton would help ensure that warning signs are not missed.

"It seems clear that this risk has not been taken seriously enough - not in the community, not by the children's mothers, and not by those of us in the child-welfare agency," Davy said. "That changes now."

The new designation of these cases means the parent and the paramour must be interviewed separately and the children should be interviewed separately outside the home. Also, law enforcement and medical experts should be automatically contacted regarding the cases and frequent visits to the home would be made.

Cotton said the policy also applies to stepparents who have not had a long-standing, stable relationship with the child. A stepparent who has been involved in raising a child for more than five years would not be subject to the policy, he said.

A main concern about boyfriends is their lack of a bond with children who are not their own, Cotton said.

DYFS is in the midst of massive retooling driven by a lawsuit settlement last year with the advocacy group Children's Rights Inc., which sued over the state's treatment of foster children.

The state plans on spending more than \$300 million over the next 2 1/2 years to try to remake a system considered by some experts to have plunged to among the worst in the nation.

The settlement was precipitated by the death of 7-year-old Faheem Williams last year in Newark after DYFS closed a complaint - alleging the boy and his brothers were being abused - without having seen them.

DHS PRESS RELEASE: April 28 , 2004

Paramour Abuse Cases to be Investigated as “High Risk”

Human Services Commissioner James Davy announced today that, after identifying a disturbing trend of child deaths involving mothers' paramours, the Division of Youth and Family Services will automatically require all abuse and neglect allegations involving paramours to trigger a higher level of investigation.

“Already this year, we are investigating four child deaths in which the paramour has been criminally charged or was identified as a suspect,” Commissioner Davy said. “It seems clear that this risk has not been taken seriously enough – not in the community, not by the children’s mothers, and not by those of us in the child welfare agency. That changes now.”

Davy said the new policy, being drafted by DYFS Director Edward E. Cotton, will automatically classify abuse allegations involving paramours as “high risk.”

That designation means that, during the investigation:

- The parent and the paramour must be interviewed separately.
- Children will be interviewed outside the home.
- DYFS workers will be required to make more frequent visits to the family and contact a wide range of family members and people in the community who interact with the family.
- The case will be automatically referred to law enforcement authorities and medical experts. (This could mean the Child Advocacy Center, if the county has one, or the appropriate child abuse diagnostic and treatment center.)
- Doctors will be required to complete a body chart identifying any injuries to the child at the beginning and the end of the investigation.
- If the allegation is not going to be substantiated, the worker must visit and re-interview the person who made the original referral before closing the case.

“Obviously, we also need to reach out to our partner agencies in the community to raise awareness of this paramour issue,” Davy said. “In one of these cases, we had not seen this family in almost five years, and we never were involved with the paramour who allegedly killed the child. But someone in the community may have had concerns about this family.

“We need those people to contact us, but we also need to change the way we operate to be sure that the children who come to our attention are protected.”

The new paramour policy is one of several issues that Davy discussed yesterday in a meeting with DYFS administrators and office managers from all over the state.

During the meeting, the managers went over the details of some recent death cases to identify case practice issues and suggest ways the cases could have been handled differently.

“This was a productive exercise, and we will do it on a regular basis,” Davy said. “If there are lessons to be learned in

these case, they have to reach everyone in the organization. The status quo is not good enough here. Obviously, I think we have a good blueprint for long-term reform of the child welfare system. But we cannot wait for all of those things to occur before we see improvement.

"We need to get better now. There are 65,000 children under our watch, and we must refocus on protecting them."

Optimism on DYFS overhaul remains, despite slow progress

Staffing and caseload problems linger. N.J.'s plans for changes at the agency are due to a judge in June.

Inquirer Trenton Bureau By Mitch Lipka May. 03, 2004

TRENTON - A year ago, critics of the Division of Youth and Family Services expressed shock that a handful of caseworkers were dealing with 100 or more cases at a time.

In the year dedicated to transforming the troubled agency, something went amiss.

Last week, Gloucester County caseworker Herman Lee had 205 cases, 27 of which were opened in the last 45 days. His four-member team of intake workers who investigate incoming cases of abuse and neglect had more than 600 combined.

The Child Welfare League of America recommends that such investigative workers have no more than a dozen active cases a month, the same goal for caseloads DYFS is about to adopt.

"Things are going to get worse before they get better," said Paul Alexander, a union official representing Lee and other DYFS workers.

With the state's plans for overhauling child welfare due for completion today and to a federal judge next month, DYFS is in the midst of a desperate struggle to keep children under its watch safe while its famously flawed system is dismantled and replaced.

"The staffing issue is critical here," said Eric Thompson, senior staff attorney with Children's Rights Inc., whose lawsuit settlement with the state is the framework for changes under way.

"Caseworkers are still laboring under obscene caseloads when we are asking them to do more and do better. There has to be immediate relief on their caseloads," he said.

But DYFS workers are struggling to overcome a fear of prematurely closing cases, while increasing referrals keep caseloads swollen beyond what can reasonably be managed.

"We are opening way too many cases," said James Davy, state human services commissioner.

And a promised deluge of new caseworkers statewide isn't expected to dramatically alter the current situation for months at a minimum.

A training academy that was planned to be running by July - in time for a wave of hiring expected if the \$125 million budget increase Gov. McGreevey is seeking is approved - has been delayed until September.

Kevin Ryan, director of the state's Office of the Child Advocate, said the academy is key in the reform effort. Without it, he and others said, scores of incoming trainees won't be able to take enough cases to lighten the load for existing staff.

While some of DYFS' changes are lagging projections and caseload averages are more than triple what they would be

under the state's blueprint for change, even critics remain hopeful New Jersey will become a model for child welfare.

"No one is going to argue they're not making a good-faith effort," Alexander said. "... I have to believe, if we work hard enough and long enough, we can get over the hump here."

What may seem like a slow pace is necessary because of the enormity of the task, many say.

"You can't move such a huge system in an instant," said Enrico De Gironimo, president of the National Association of Social Workers' New Jersey chapter.

Walter Kalman, the chapter's executive director, would like to see the state work harder to get experienced social workers on staff. DYFS is overwhelmingly comprised of workers without degrees in social work.

"The person with no experience and 30 days' training isn't going to cure [DYFS's staffing problems]," Kalman said. "We all want properly trained people in the jobs."

DYFS struggles with turnover, continuing to lose staff as it tries to add staff. Kalman, himself a foster parent, said he has had five caseworkers in the year and a half with his foster child. Most have quit the agency, he said.

Alexander said most workers quit because they are overburdened.

Over the next two years, DYFS plans to add about 1,000 caseworkers. Alexander said that perhaps in 18 months, workers will notice the difference.

DYFS director Edward Cotton agreed that lower caseloads sought under the reform plan won't be reached until 2006. And, he said, the first group to go through the academy will be the supervisors, not the trainees.

"We have a lot of staff and not many trainers," he said.

Well-trained supervisors, Cotton reasoned, would help guide a large but largely inexperienced staff. He said the applicant pool has been good, and a concerted effort is being made to hire those with experience.

While the Gloucester County situation is extreme, it is indicative of the battle to right a ship that has been listing for years.

Coming into 2003, DYFS had been dealing with 47,000 cases. Then, Faheem Williams' death lit up the headlines. A complaint that the 7-year-old and his two brothers were being abused was closed without the boys having been seen by a caseworker.

By the time authorities reached the boys, Faheem was dead, and his brothers were starving. Complaints raced into DYFS, and fear over closing cases too soon grew the total number of caseloads well beyond 50,000. By this time last year, 13 suspected child-abuse and neglect deaths were being investigated.

DYFS is now dealing with 65,000 children and, like last year, is investigating 13 deaths suspected of being caused by abuse or neglect.

Still, even the agency's harshest critics are optimistic that, in the end, the state's most vulnerable children will be safer. Fuel for hope comes from the settlement of a lawsuit last year with the activist group Children's Rights - with the restructuring being done under the watch of a federal judge - and the heightened priority children at risk have gotten from McGreevey.

Thompson of Children's Rights said the settlement would keep the state honest. If changes don't take root as they are planned, a judge could compel the state to take whatever action is deemed necessary.

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Parents of gaunt N.J. sons indicted

May. 06, 2004

Together they face 28 counts on starvation allegations. The prosecutor said a probe of DYFS staff would continue.

By John Shiffman, Mitch Lipka and Kristen A. Graham Inquirer Staff Writers

Raymond and Vanessa Jackson showed "extreme indifference to the value of human life" by withholding sufficient food, shelter and medical care from their adopted sons, a grand jury in Camden charged yesterday.

The emaciated and stunted sons, who had not seen doctors in years, have blossomed since they were removed from their Collingswood home in October, officials said. They have since sprouted several inches and gained tens of pounds.

In announcing the 28-count indictment, Camden County Prosecutor Vincent P. Sarubbi said a related investigation of child-welfare workers who monitored the family was not yet complete. That surprised some advocates for the suspended workers who had expected them to be cleared.

Eight of the counts charged the Jacksons with aggravated assault for failing to properly feed and nourish four adopted children: Bruce, 19; Keith, 14; Tyrone, 10; and Michael, 10. Authorities say the youths survived on a diet of uncooked pancake batter and oatmeal.

The remaining counts charged the parents with endangering the welfare of their children, causing "unnecessary pain and suffering." Several counts alleged that the parents failed to take the sons to a doctor or dentist for years.

Other counts cited the Jacksons' failure to pay the utility bill for their White Horse Pike home, which caused their gas and electricity to be shut off. This, the indictment said, showed that the Jacksons "failed to provide a clean and proper home," and threatened their children's "physical or moral well-being."

If convicted of the charges, the Jacksons would face five to 10 years in prison on each count, Sarubbi said. The parents have been free since posting \$100,000 bail each. Neither has a criminal record.

Richard Josselson, Raymond Jackson's attorney, said the indictment contained no surprises.

"I was expecting it," he said. "It was just a question of when."

Still, his client found it unsettling, Josselson said. "You wait and you wait and you wait, and it still hits you hard," the lawyer said. "This is difficult for them."

Life for the Jacksons, Josselson said, "is tough, day to day," in part because of the intense media scrutiny. Neither has been able to hold a job, he said.

The indictment pushed the high-profile case one step closer to trial. In the next four to six weeks, prosecutors will provide the defense with legal discovery - evidence they intend to present at trial - and arraignment will be scheduled.

The Jacksons intend to plead not guilty, according to their lawyers and advocates.

When Collingswood police found Bruce Jackson rooting through a trash can for food in October, he weighed 45 pounds and stood only 4 feet tall. In six months, his weight has doubled, a state spokesman said. Officials have said he has grown at least 6 inches. The other brothers have gained significant weight, too, though not nearly as much, officials said.

Doctors and psychologists who have examined the four brothers have concluded that they were systematically starved, authorities have said.

The three younger Jackson boys are living together in a "specialized foster home with specially trained parents," said Ed Rogan, a spokesman for the state Division of Youth and Family Services. Bruce Jackson, too old to be in the care of DYFS, is living in a foster home in the custody of the state's Division of Developmental Disabilities.

"Bruce and the boys see each other very regularly," Rogan said. "The three younger boys are connected, and there's been an attempt beyond that to keep Bruce and his three younger brothers connected as well."

The Jackson case has emerged as one of DYFS' larger embarrassments as the agency struggles to undertake a massive overhaul.

Shortly after the Jacksons' arrest, nine DYFS caseworkers and supervisors were suspended and sharply criticized by top state officials.

At the time, Gov. McGreevey said, "It's inconceivable how a caseworker could go there and not detect these atrocious conditions."

Rogan said yesterday that one of the workers, a foster-home licensing inspector, had been reinstated. Two others have resigned. Six other employment cases are pending, he said.

In February, the state Child Advocate's Office released a comprehensive report about the case. It criticized both the family and DYFS.

The family allegedly ignored orders, misled caseworkers, and failed to follow medical advice, the report said. But the advocate's investigation also described DYFS as dysfunctional and said workers' failure to follow procedures had left the brothers in harm's way. It said the Jacksons' adopted daughters, foster child, and biological children were well-fed.

The report was forwarded to prosecutors in Camden, who have been reviewing the child-welfare workers' conduct to determine if they broke any laws. Eleven DYFS workers appeared before a grand jury but invoked their Fifth Amendment right against self-incrimination. One other worker has cooperated with authorities.

After Sarubbi announced the Jackson indictment, advocates for the DYFS workers involved reacted angrily. They said they did not expect the prosecutor to say his criminal investigation of the workers is continuing.

"I'm very much surprised," said Alan L. Zegas, a lawyer from Chatham, N.J., representing four workers. "There have been several comprehensive reports done that point to institutional failures that led to the problem with the Jacksons. To even suggest for a second the individual workers are responsible criminally defies imagination."

A union official said "it doesn't make any sense" that Sarubbi's investigation of the workers is continuing.

"It just seems completely unfounded and ridiculous," said Carla Katz, president of Local 1034 of the Communications Workers of America, which represents the caseworkers. "If he's got enough to indict the Jacksons, it's the same body of evidence he's had and has been poring through and looking at for the last six months."

In response, Sarubbi's spokesman, Bill Shralow, said: "We have a responsibility to conduct a full and fair investigation, and we will take as much time as necessary to fulfill that important responsibility."

DHS PRESS RELEASE May 4, 2004

Davy promotes foster care changes in reform plan

State kicks off May as Foster Care Month

TRENTON— Department of Human Services (DHS) Commissioner Jim Davy today announced that the state will expedite board payment increases for foster parents and carry out several planned improvements to the foster care system as part of the larger effort to reform New Jersey's child welfare system.

As part of the announcement celebrating May as Foster Care Month, Davy and Division of Youth and Family Services (DYFS) Director Ed Cotton recognized selected foster parents throughout New Jersey. There are currently 4,500 foster families statewide.

“Our foster parents do so much for our children,” said Commissioner Davy. “Until now, we have done very little for them because we failed to provide the proper supports they need.”

Davy announced several changes DYFS will make to better support foster parents:

- Increasing board payments for resource families over the next two years to close 25 percent of the gap between the current rates and the U.S. Department of Agriculture's estimate for the cost of raising a child. Those payments, originally scheduled to begin increasing in July 2005, will now be raised in January 2005.
- Equalizing kinship payments with those of foster parents so more relatives step forward to care for foster children
- Streamlining the process to become a resource parent by setting a standard that the entire process -- which currently takes up to a year -- will be completed in 90 days.
- All resource parents, whether recruited by DYFS or a contract agency, will be served by a single agency through the entire process from recruitment through home study and licensing, and beyond. This means that resource families, whether recruited directly by DYFS or by a contract agency, will have a support worker assigned to them permanently.
- Providing \$2 million a year in flexible funding to provide support services to resources families.
- Allocating \$1 million for home repairs so foster families can continue to meet licensing requirements.

“As an 18 year foster and adoptive parent, I have seen the difficulties and successes of fostering. I am thankful to Governor McGreevey for recognizing the dedication that we as foster families provide to the children in our care,” said Joy Norsworthy, vice president of Foster and Adoptive Family Services (FAFS), a statewide organization representing foster and adoptive parents. “Whether it's for one child or dozens more, foster parents are New Jersey's unsung heroes.”

“FAFS supports Governor McGreevey's commitment to New Jersey's children and looks forward to continuing our partnership with DHS and DYFS on implementing the child welfare reform plan,” added Norsworthy.

The highlight of the event included the recognition of foster parents and other individuals for supporting foster children:

As part of the ceremony, Commissioner Davy also presented FAFS with a proclamation from Governor McGreevey declaring May as Foster Care Month. In addition, Davy presented a small tree covered in blue ribbons- representing the 13,000 children in foster care in New Jersey.

“Let these ribbons and this tree remind us of why we are here today and everyday,” said Commissioner Davy surrounded by foster parents. “Every child needs a champion- looking around this room there are many champions among us.”

To learn more about foster parenting in New Jersey, call toll free 1-877-NJ-FOSTER or visit www.njfostercare.org.

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DYFS to recruit foster homes for Hispanic children

May 12, 2004, 2:11 PM EDT

PASSAIC, N.J. -- The state child welfare agency is launching a new effort to recruit bilingual homes for Spanish-speaking foster children and will create an advisory council to help it better serve the Hispanic community.

While 18 percent of the 65,000 children in foster care are Hispanic, there are only 250 bilingual foster homes in New Jersey, Human Services Commissioner James Davy said Wednesday.

"We are facing a critical shortage of foster homes for Hispanic children. No child should lose their culture, their sense of identity when circumstances require they be removed from their home," Davy said. "We need to do a better job of recruiting foster families in the neighborhoods where children live."

In addition to foster home recruiting efforts in Passaic and Hudson counties, the Division of Youth and Family Services intends to spend \$150,000 to develop 15 more homes for Hispanic children in Cumberland County. Twenty percent of the children in foster care in Cumberland County are Hispanic, officials said.

The Hispanic Advisory Council will be made up of members of community organizations and churches and will work to focus on the needs of the Hispanic community, Davy said.

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Settlements restore jobs of 9 fired DYFS workers

BY SUSAN K. LIVIO Star-Ledger Staff May 27, 2004

The state has reversed the firings of nine child welfare workers who were terminated last fall after police discovered four starving boys in a South Jersey foster home.

One of the workers was back on the job in March. Four more will return to the Division of Youth and Family Services soon with back pay, according to sources close to negotiations between state officials and the union representing the employees. The other four were allowed to retire or resign.

The firings were announced last October, shortly after authorities arrested foster parents Vanessa and Raymond Jackson of Collingswood for withholding food from four emaciated boys, ages 10 through 19. The state later discovered the adopted boys had lived there for years without attending school or seeing a doctor.

At the time, then-Human Services Commissioner Gwendolyn L. Harris, enraged that state child welfare workers had failed to detect the boys' conditions, declared: "I am faced with the understanding that I have staff that is either incompetent, uncaring or who have falsified records."

However, the union representing the workers contended the state produced no proof that the workers had done anything wrong and said the real culprit was an underfunded and poorly managed child welfare system.

The union accused top management of using the nine staffers as scapegoats because they were the last to have contact with the Jackson family case, which dated back more than a decade. A report on the Jackson case by the Office of the Child Advocate cited systemic flaws with the child welfare system.

A copy of the disciplinary notice each employee received last October said they were suspended without pay with intent to be fired for "neglect of duty, loafing, idleness, or willful failure to devote attention to tasks which could result in

danger to persons." In a box reserved for more detail of the charges, the notice reads: "You neglected your responsibilities for clients," followed by the children's initials.

Union representatives from the Communications Workers of America declined to comment yesterday on the settlements reached with Commissioner James Davy, who replaced Harris in February.

Yesterday, Human Services spokesman Andy Williams stressed that disciplinary actions are still pending against three of the four employees who are expected to return. He declined to elaborate, but sources familiar with the settlements said these employees each will face 10-to-20 day suspensions -- time that will be subtracted from their back pay.

Williams said in the case of the employee who returned in March, the licensing inspector who had approved the Jacksons as foster parents, "the regulations and policies at the time did not require him to see the children."

"If the policies and regulations didn't require these things, it would be unfair to proceed" with a disciplinary action, Williams added. State officials have since changed Division of Youth and Family Services policy to require that licensing inspectors see and interview the children living in foster homes, Williams said.

The state also is reinstating a supervisor because "upon further review, the person did not have the level of involvement in the case we had originally thought," Williams said.

The nine employees had worked in the Southern Adoption Resource Center in Voorhees, the Camden County district office, a regional office in Hammonton, or the department's central office in Trenton. A caseworker had monthly contact with the family for the last two years because the Jacksons were in the process of adopting another foster child.

But the state's problems with the family began nearly a decade earlier, a report by the Office of the Child Advocate concluded in February. Dating to 1991 -- when the oldest boy, Bruce Jackson, was placed in the home as a foster child -- doctors, school officials, therapists and even DYFS workers took note of the Jackson boys' emaciation on numerous occasions. Yet the tips were never investigated.

Camden County Prosecutor Vincent Sarubbi, is weighing criminal charges against DYFS employees. The prosecutor's spokesman, Bill Shralow, said there is an ongoing investigation that covers "DYFS's involvement with the family from the time Bruce Jackson was placed with them through the time the children were removed on October 10, 2003."

A grand jury has indicted the boys' adoptive parents on 28 counts of aggravated assault and child endangerment. The Jacksons attributed the boys' underdevelopment to birth defects and eating disorders.

In a related development yesterday, attorneys filed a civil rights lawsuit against the state on behalf of the three adopted Jackson boys who are still minors. The lawsuit contends DYFS "failed to ensure the Jackson children had their basic needs met."

In addition, state Child Advocate Kevin M. Ryan petitioned the court to have Marcia Lowry, the top official at the advocacy group Children's Rights, named as the minor boys' legal guardian to represent their interests in the lawsuit. Bruce Jackson, 19, is represented by a separate attorney.

A class action lawsuit filed by the New York-based group has already prompted a settlement requiring New Jersey to revamp its child protection system.

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Mental health program under fire Report: Kids' needs are not being met

BY SUSAN K. LIVIO

Star-Ledger Staff

May 28, 2004

A program launched four years ago to revolutionize the way children receive publicly subsidized mental health care in New Jersey is not living up to its promise, a child advocacy group says in a report.

The Association for Children of New Jersey says children caught up in the state child protection and juvenile justice systems may not be getting all the help they need through The Partnership for Children.

The program installed a private company to manage all phases of a child's treatment -- from hospital stays to therapy and medication -- in an effort to eliminate the need for parents to call police or the Division of Youth and Family Services just to get help. It created parent support groups to give families a greater say in their children's care, and was designed to find more alternatives to institutions.

"One of the key goals of the partnership was to assess what kids really need so you could design a system that meets those needs," said Cecilia Zalkind, executive director of the child advocacy group. "We're not there yet."

The group's analysis found:

The system provided intensive case management to just 1,072, or 11 percent, of the children enrolled in the partnership from January 2002 to December 2003.

Only 18 percent of these 1,072 children come from detention centers, jails, or residential treatment centers through the Division of Youth and Family Services -- the kids who need the most attention, the association said.

The partnership has not developed alternatives to institutions, and reliance on large facilities to treat troubled kids remains high. There are no specialized group homes for children with mental illness or behavioral problems in six counties, including Essex.

The association credits the partnership with bringing \$50 million in new federal funding through Medicaid, and found those enrolled have shorter stays in institutions. Parents also praise the partnership's family support groups and mentoring services. But Zalkind said officials need to address the problems raised in the report before the partnership expands as part of the reform of the child welfare system.

The Department of Human Services is launching a customer survey of the partnership and ValueOptions, the private firm hired to run the program.

"We have some concern about whether families feel they are getting an appropriate response," said Kathi Way, who leads a new state division that will oversee the program.

In addition, State Child Advocate Kevin M. Ryan is evaluating how the program is serving children, particularly those who rely on the juvenile justice or child welfare systems for help. The partnership was supposed to shift the state's focus on mental health treatment from institutions to the community, Ryan said.

"The state promised to build and fund these services, but we do not yet have an adequate network of community providers," he said. "This is the chief reason children are being warehoused in juvenile detention and hospital facilities."

The program, which suffered a series of starts and stops since it was launched by Gov. Christie Whitman in early 2000, currently operates in 11 counties. Way said the remaining 10 counties will be added by 2005 under the DYFS reform plan. She conceded that at the beginning "there was no allowance to expand treatment homes" used as an alternative to institutions. They will be developed under the reform plan, Way said.

The report said more than half the calls ValueOptions received were "screened out" by the firm. Way said callers are not routinely turned away, stressing that ValueOptions, which earns about \$7.5 million a year under a state contract,

receives "no incentive not to spend money. This is not managed care."

Nancy Parello, an author of the report, said questions about how calls are screened "should raise a red flag that warrants further examination. Do we really know what is preventing (children) from getting into the system?"

Some parents give the program good grades. Sherene Chavers, a member of the Union County organization created by the partnership, credited it with keeping her family together.

"I feel like a mother again, and I can be a part of this process," she said at a recent hearing on DYFS reforms. "They gave me the will and the strength to go on."

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