

Office of the Children's Ombudsman

Quarterly Report: Fiscal Year 2024, Q3

The OCO has statutory authority to receive complaints regarding cases involving children who (i) have been alleged to have been abused or neglected, (ii) are receiving child protective services, (iii) are in foster care, or (iv) are awaiting adoption.

The OCO can receive and investigate complaints alleging that an agency's action was:

- in violation of a law, rule, or policy;
- imposed without an adequate statement of reason; or
- based on irrelevant, immaterial, or erroneous grounds.

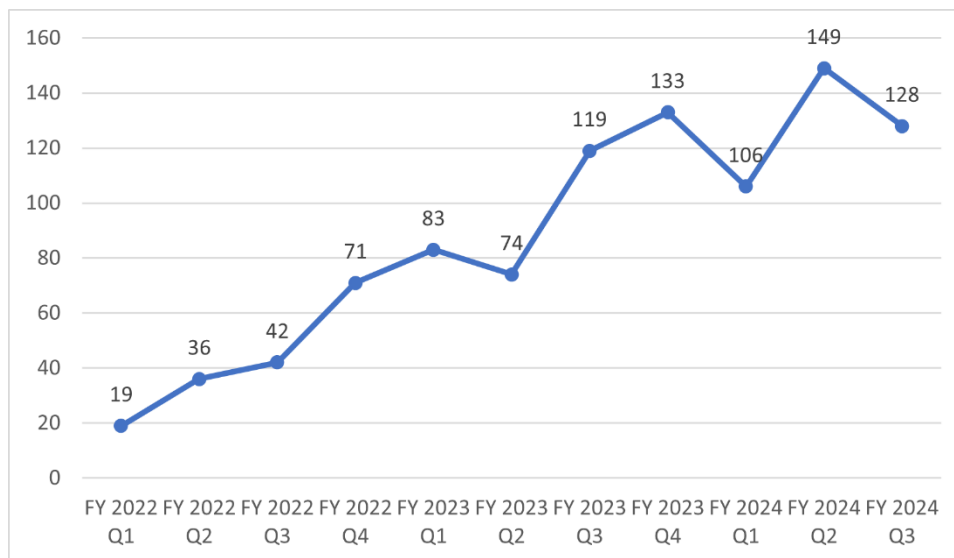
The OCO may investigate child fatality cases that occurred or are alleged to have occurred due to abuse or neglect of a child in the following situations:

- A child died during an active child protective services investigation or open services case, or there was a valid or invalid child protective services complaint within 12 months immediately preceding the child's death.
- A child died while in foster care, unless the death is determined to have resulted from natural causes and there were no prior child protective services or licensing complaints concerning the foster home.
- A child was returned home from foster care and there is an active foster care case.
- A foster care case involving the deceased child or sibling was closed within 24 months immediately preceding the child's death.

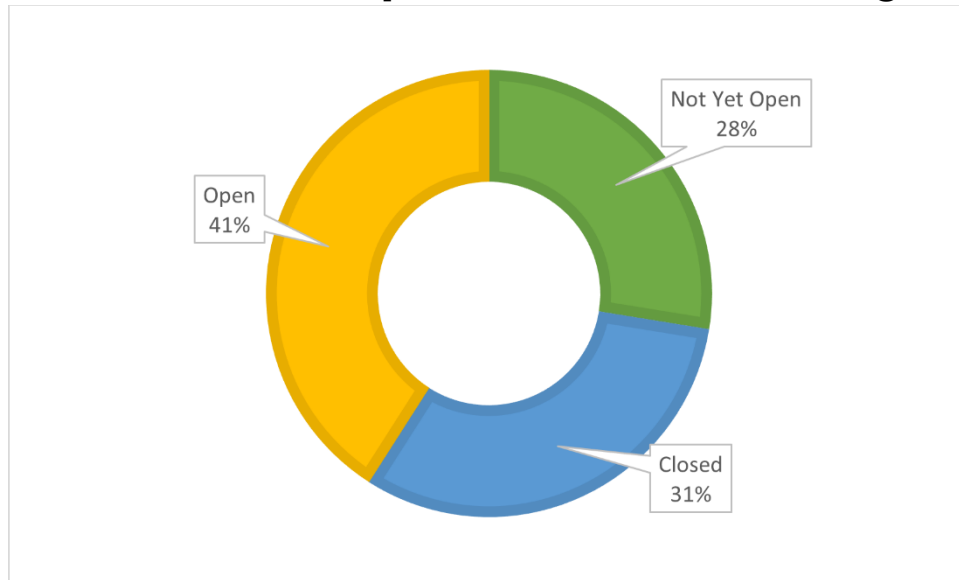
Total **Complaints** received in Q3 FY2024: **128**

Total **Notifications of Child Fatalities** in Q3 FY2024: **10**

Number of complaints received per FY quarter since June 2021:



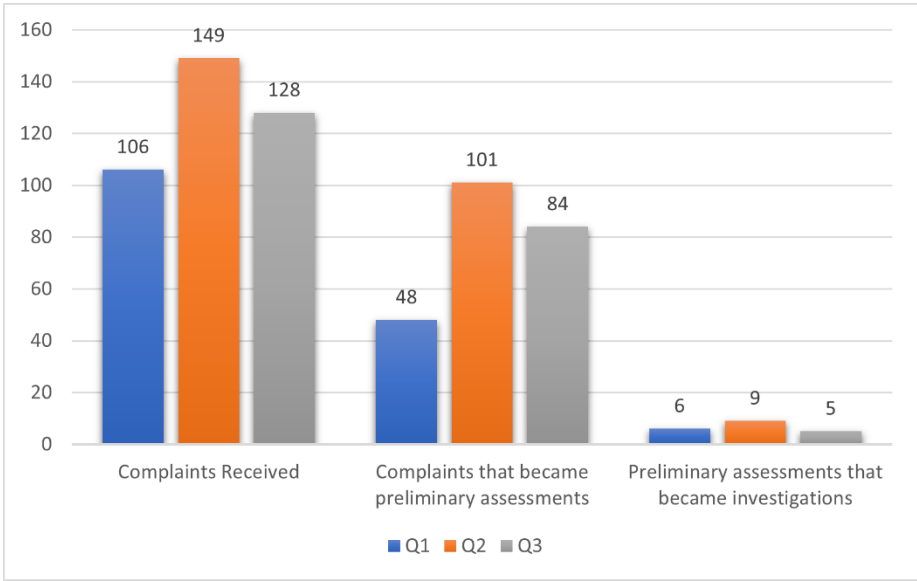
Stage and Status of Complaints Received During Q3 FY2024



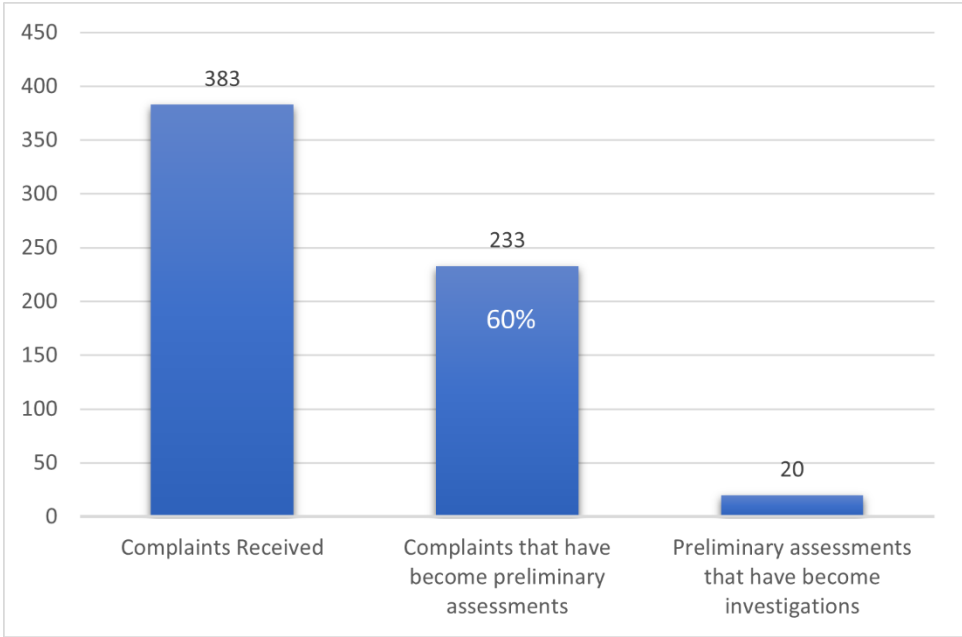
- **Intake: 53**
 - Not yet open- Awaiting complaint form: 36
 - Closed: 17
 - Lack of Jurisdiction: 17
- **Preliminary Assessment: 70**
 - Closed: 23
 - Assistance Provided: 1
 - Complainant was provided information about their case: 21
 - Referred to another agency: 1
 - Open: 47
 - Conducting initial assessment: 31
 - Pending closeout notification: 3*
 - Assigned to investigator: 10
 - Pending OCO determination: 3
- **Investigation: 5**
 - Open: 5

*Complainant allegations were not substantiated

The chart below reflects the path that complaints take during a particular quarter. This shows the number of complaints received during that quarter that become preliminary assessments, and then the number that become investigations during each quarter.

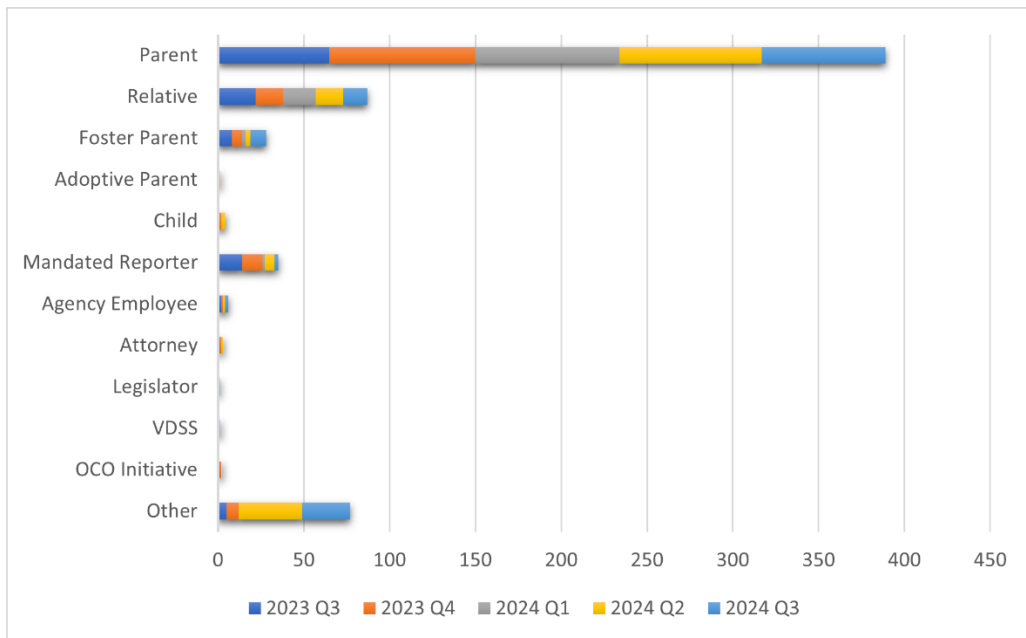


The chart below reflects the path that complaints have taken so far during FY 2024. This includes any complaint received between July 1, 2023, and March 31, 2024.



Complaint Source comparison: Q3 FY 2023 – present

Claimant Type	2023 Q3	2023 Q4	2024 Q1	2024 Q2	2024 Q3
Parent	65	85	84	83	72
Relative	22	16	19	16	14
Foster Parent	8	6	2	3	9
Adoptive Parent	0	1	0	0	0
Child	0	2	0	2	0
Mandated Reporter	14	12	1	6	2
Agency Employee	2	1	0	1	2
Attorney	1	1	0	1	0
Legislator	0	0	0	0	1
VDSS	1	0	0	0	0
OCO Initiative	1	1	0	0	0
Other	5	7	0	37	28



Case Closures During Q3

(includes cases opened prior to Q)

- **The OCO concluded 150 cases during Q3 FY2024**
 - 131 cases concluded during Q2 FY2024
 - 123 cases concluded during Q1 FY 2024
 - 106 cases concluded during Q4 FY 2023
 - 84 cases concluded during Q3 FY 2023
- **Average case age (time between date received and date concluded): 94 days**
 - 114 days during Q2 FY2024
 - 91 days during Q1 FY2024
 - 77 days during Q4 FY2023
 - 110 days during Q3 FY2023
- **The OCO concluded 80 preliminary assessments and 7 investigations during Q3.**
- **Preliminary Assessments concluded by:**
 - Assistance provided to complainant: 6
 - Declined to investigate*: 6
 - Complainant was provided information about their case: 63
 - No response from complainant to schedule call: 2
 - Referred to another agency: 3

*Complainant allegations were not substantiated

Common Allegations Made in Complaints Received – Q3

- Agency Bias
- Agency Documentation
- Agency Lack of Responsiveness
- Family Partnership Meetings
- Lack of Family Engagement
- Inadequate Legal Representation
- Alternate Living Arrangements:
 - Inappropriate or inadequate support to ALA Caregiver, parents, and/or child
 - Placement Decision
- CPS
 - Family Assessment Process
 - Investigation Process
 - Removal Procedures
 - Inadequate or inappropriate services
 - Safety Plan
 - Validation Process

- Foster Care:
 - Inadequate Case Management
 - Inadequate Permanency Efforts (reunification and non-reunification)
 - Inadequate Services
 - Placement Decision
 - Visitation Issues

Findings

Findings made by the OCO include:

- No intra-office collaboration or communication between child protective services and foster care family services specialists.
- Monthly worker visits were not completed as required.
- DSS should have considered a less restrictive alternative prior to removal.
- Family Partnership meetings were not held at the time of removal or at major decision points throughout the case per policy.
- Documentation was significantly lacking within the case file.
- Child Protective Services assessments and investigations were not conducted according to policy:
 - Children were not seen within the designated response time.
 - The family was not notified of the CPS investigation.
 - Children were removed from the family, but the family assessment was not changed to an investigation.
 - Children were not interviewed during the CPS matter.