



# NH OFFICE OF THE CHILD ADVOCATE

A monthly update of work and advocacy for New Hampshire's children



VOL. 1, ISSUE 3

9.17.2020

## OCA Advocacy Updates in Brief

**COVID-19:** As of August 31, 2020, New Hampshire Division for Children, Youth and Families had 12 COVID-19 positive children in care since the onset of the pandemic in mid-March. The OCA is in the process of preparing Pandemic “coping” bags to distribute to children in care. The OCA staff continue to work partially remotely for safety reasons and as COVID-19 has disrupted some family schedules. But the OCA is here for you wherever we are.

**Outreach-** OCA staff attended the virtual 2020 Youth Voices Summit. We have commenced listening sessions with children in residential care via video conferencing. And we are preparing new outreach materials with a new NH OCA official logo (see top left of this page).

**Safety Science-** OCA staff commenced a series of intensive, virtual Safety Science trainings with consultants Collaborative Safety, LLC. We are learning the power of language and paralinguistics, and honing skills in Human Factors Debriefing for system reviews. Staff also attended a Mapping training Positive Capacity training, a review approach that examines what works well in a system to promote the spread of success. On September 16<sup>th</sup>, the OCA team presented our System Learning Review (SLR) process before 80+ members and friends of the United State Ombudsman Association Children and Families Chapter. The OCA shared the work that it is doing using safety science for critical incident and death reviews. This fall we will commence an outcomes research study to detail the effectiveness of OCA SLRs. In addition, preparations are under way for an October 16<sup>th</sup> webinar on Child Victims with Disabilities.

**Juvenile Justice-** Dr. O’Neill responded to the National Juvenile Defender Center (NJDC) on access to and the quality of representation of children in New Hampshire juvenile courts; The Youth Engagement Project has begun exploring a home for a self-advocacy organization. Maggie Delaney, a College of William & Mary intern is coordinating listening sessions with juvenile justice-involved young people. One theme we are hearing from them: “We want people to communicate with us.”

**Child Protection.** System Review Briefing 2020-01 was completed on 9/15/20; The addendum to System Review 2019-01 Restraining and Secluding Children is set for release in late Sept, 2020; staff virtually attended 1) Police and the Safety of Black Youth in the Upper Valley 2) Training for What NH Legal Assistance Wants You To Know about Housing, and Benefits, 3) R2—The Race & Resiliency Talks.

### OUR WORK

*312 cases in process*

*3300+ cases closed*

### OUR IMPACT

*3600+ cases*

*Since our inception:*

*January 30, 2018*

## Policy Watch

Watch this section as the 2021 Legislative session gets underway to learn the legislation the OCA is following.



September 16: Legislature meets for Veto Day

September 25: Oversight Commission on Children’s Services meeting, 9am

November 4 – December 30: Legislative Service Requests (LSRs) submittal period by representatives

## Upcoming Events & Trainings

- Sept 23** → **NASW- Recognizing and Responding to Suicide Risk During COVID-19** [Details and](#) [Registration](#)
- Oct 6-8** → **CWLA Virtual Summit-** Advancing Racial Justice, Equity, and Inclusion for Children and Families. [Register](#)
- Oct 7-28 (wed)** → **The 2020 NH Foster/Adoptive/Relative Caregiver Conference Online-** [Registration details](#)
- Oct 16** → **Child Victims with Disabilities by Collaborative Safety, LLC. - virtual webinar-** [Details and](#) [Registration](#) Sponsored by the NH OCA- register by October 9th!



## A message from the Child Advocate:

This month a deeply moving exhibition of protest portraits appeared on the lawn of the State House. Plymouth photographer Maundy Mitchel captured the souls of spirited protestors, seemingly from all walks-of-life, determined to make Black lives matter. Inspired by the protests that erupted after George Floyd's death, Mitchel has captured an expression of caring. It is an expression we at the Office of the Child Advocate wish to be directed towards children in the custody of juvenile justice services. The current dialogue about law and order in the United States, a necessary dialogue, is missing the most vulnerable population. It is missing children. Justice starts somewhere. It starts with the way we treat children. The values we project in how we treat children cement the foundation for good or biased systems.

As I watched the police officers restrain Mr. Floyd for those lethal eight minutes, I reflected on the many reports my office receives weekly describing incidents of restraint. They happen in residential programs where children are ordered for treatment when their behavior is deemed unsafe or inappropriate. On occasion, my staff and I observe restraints via video. Some are far longer than eight minutes. Those videos never go viral, it is only the Office of the Child Advocate who can raise attention to them. Pursuant to RSA 126-U prone restraints have been illegal in New Hampshire since 2010 and any restraint is prohibited unless it is an emergency. Yet children continue to experience these practices, often because of manifestations of the mental or developmental conditions for which they are in placement. DCYF only recommends against employing those tactics, they do not prohibit them, as the law does. Children who endure physical restraint for manifestations of a mental illness or traumatic past acclimate and normalize to external controls of force that teach them little about internal coping strategies, or more importantly, trust. The risks of living under these conditions are increased for children of color, over the past eight years, approximately 25 percent of admissions to the Sununu Youth Services Center, New Hampshire's prison for children, have been Black or Hispanic children when they only represent 8 percent of the entire population of children.<sup>1</sup> This is where it starts. Among children arrested in New Hampshire, a Black child is approximately 2.71 times more likely to be arrested than a white peer is. While general arrests are steadily moving down year to year – that is not the case for Black children. Once arrested, Black children are also 2.10 times more likely than an arrested White child to be detained. The Hispanic child is also slightly more likely to be arrested (1.35 times) and of those arrested, 2.53 times more likely than a White child to be confined at SYSC.<sup>1</sup> Being more responsive to minority children will set the trend for being more effectively responsive to all children.

The good news is there are people working hard for change. The Annie E. Casey Foundation, a leader in juvenile justice reform, is sponsoring an interdisciplinary team of juvenile probation reform. With a week's worth of intensive training at the Georgetown University Center on Juvenile Justice Reform behind them, the team is now designing a path to probation reform that will be race, ethnicity, and gender-sensitive and trauma informed. The philosophy behind a separate juvenile system of justice is born out of the fact that children are developing humans who, when needs are met, can change and grow into pro-social and productive citizens. But the shift the probation reform team is proposing will require a good hard look at how we view children now. It will be a shift from punitive demands to coaching, mentoring and nurturing growth and responsibility. It will require a good hard look at the current system with the determined countenance of a Mitchel portrait. Let children see you care as deeply about them as all other Black lives, and thus all lives. *(based on Moira O'Neill's testimony delivered before the Governor's Commission on Law Enforcement Accountability, Community and Transparency, 8-7-2020)*

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