

Christine Alberi, Child Welfare Ombudsman
Committee on Health and Human Services
Public Comment on LD 1893, An Act to Establish an Independent Office of the Child Advocate
May 9, 2025

Good afternoon, Senator Ingwersen, Representative Meyer, and members of the Health and Human Services Committee. Thank you for having me here today. My name is Christine Alberi, and I am the Child Welfare Ombudsman for Maine. The Child Welfare Ombudsman respectfully urges the Committee to vote LD 1893 Ought to Pass.

The Child Welfare Ombudsman is an independent non-profit created by statute, 22 M.R.S.A. §4087-A. As part of the Ombudsman's work, we complete case-specific reviews of Department child welfare cases from a neutral perspective, keeping the safety and best interests of the child at the forefront of our reviews. We also provide services to the public in the form of information and referral calls where we are able to help individuals understand their child welfare cases more clearly. We are currently limited to investigating complaints that cover this one very specific area of child welfare.

This proposed legislation preserves and incorporates our current Ombudsman model while adding other necessary oversight functions. Preservation of our current model is important because many offices of the child advocate do not analyze enough cases to clearly see trends that are helpful to improving child welfare practice, and do not have the ability to provide detailed information about child welfare policy, practice, and law on a large scale to individual callers.

Expansion to the Child Advocate model would allow investigations of children's well-being in residential treatment and in Long Creek helping to ensure that our most vulnerable youth are safe and receiving effective services. The child advocate model has produced some really good investigations and findings in other states in New England. For example, the New Hampshire Child Advocate recently investigated an out-of-state residential placement in Tennessee, Bledsoe Academy. Staff from the New Hampshire Child Advocate toured and investigated the facility and interviewed children from New Hampshire who were placed in the facility. The advocates were able to uncover a number of disturbing practices, including that the facility failed to provide necessary therapeutic and medical care and that the facility operated in a culture of fear and humiliation. A more comprehensive Child Advocate office would be pivotal in addressing Maine's current struggles helping older youth in need of mental health and behavioral services and juvenile justice.

I do have a few recommendations for the proposed legislation:

- 1) Neglect is an important concept and the given reason that the majority of children are removed from their parents. A child subjected to serious neglect should be added to the definition of a "critical incident" even if there is no fatality.
- 2) If LD 1893 is enacted, full funding for the Office of the Child Advocate will be crucial to its success. For example, under the information sharing and reporting requirements in

Section 24202 (7), (8), (9), and (11), the Office of the Child Advocate would need sufficient staff to fulfill these duties effectively, as well as to conduct the underlying investigations. The Child Welfare Ombudsman's office has struggled with lack of funding for staff since 2012; fulfilling complex and important statutory mandates requires experienced and dedicated staff.

Nationwide the majority of states now have independent Ombudsman or Child Advocate. In 2018 there were 14 similar organizations nationwide. Today there are 33. I urge you to carefully consider the creation of an Office of the Child Advocate here in Maine.

Thank you for having me here today, and I am happy to answer any questions you may have.

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Searchable information for Ombudsman and Child Advocate Offices:

<https://www.ncsl.org/human-services/childrens-ombudsman-offices-office-of-the-child-advocate>