



**Testimony Re: H-8069 Relating to Delinquent and Dependent Children –  
 Proceedings in Family Court  
 House Health, Education, and Welfare Committee  
 April 27, 2016  
 Elizabeth Burke Bryant, Executive Director**

Thank you for the opportunity to testify in regards to H-8069, a bill that would allow child abuse and neglect court proceedings to be open to the general public if the judge finds that it is in the best of interest of the child for the proceedings to be public. H-8069 would also mandate that the director of the Department of Children, Youth and Families (DCYF) disclose information regarding a fatality or near fatality of a child. H-8069 also requires the existing Office of the Child Advocate’s (OCA) Advisory Committee to review child fatalities and publically report findings.

Rhode Island KIDS COUNT supports the sponsor’s efforts to bring clarity to the roles and responsibilities for child abuse and neglect death investigations but we have some concerns about this bill’s potential to compromise the privacy of victims of abuse and neglect.

With regard to the provision of the bill related to child fatalities and near fatalities, the table below shows recent trends.

**Emergency Department Visits, Hospitalizations, and Deaths Due to Child Abuse and/or Neglect, Rhode Island, 2010-2014**

YEAR	# OF EMERGENCY DEPARTMENT VISITS	# OF HOSPITALIZATIONS	# OF DEATHS**
2010	161	31	0
2011	159	38	2
2012	153	25	1
2013	133	34	3
2014	102	44	1
<b>TOTAL</b>	<b>708</b>	<b>172</b>	<b>7</b>

Source: Rhode Island Department of Health, 2010-2014. Data for 2013 and 2014 are provisional.

*\*\*Due to a change in data source, data for child deaths due to child abuse and/or neglect are only comparable with Factbooks since 2013.*

- According to the Department of Health, there were 7 child deaths due to child abuse and neglect between 2010 and 2014 (not all of these children were necessarily receiving services or had received services in the past from DCYF).

H-8069 requires the OCA’s existing Advisory Committee to review selected cases of child abuse and neglect fatalities. Rhode Island KIDS COUNT suggests alternative language that would require the OCA to conduct a

review of all deaths due to abuse and neglect for children known to DCYF and that OCA be required to coordinate with the existing Child Death Review team at the Rhode Island Department of Health, which examines child deaths from all causes including child abuse and neglect. We also recommend language that the director of DCYF shall notify the Office of Child Advocate verbally and electronically in writing within 48 hours of a confirmed fatality or near fatality of a child that is the subject of a DCYF case, and that DCYF shall be required to provide the Office of the Child Advocate with ongoing access to any written material about the case. We also recommend language that the director of DCYF shall disclose to the Office of the Child Advocate information, within five days of completion of the department's investigation when there is a substantiated finding of child abuse or neglect that resulted in a child fatality or near fatality.

We also recommend alternative language regarding child death reviews. Rather than specifying the membership of an advisory committee to the Office of the Child Advocate, we recommend that The Office of Child advocate, after receiving notice within 48 hours of a child fatality or near fatality by DCYF, shall establish a child fatality review panel, whose members may vary on a case by case basis, to review the case records of fatalities and near fatalities of children under 21 years of age if the fatality or near fatality occurs while in the custody of or involved with DCYF or if the child's family previously received services from the department, or if the fatality or near fatality is alleged to be from abuse or neglect of the child. The child fatality review panel shall access and analyze such cases, and make recommendations for improvements to laws, policies and practices that support the safety of children.

Rhode Island KIDS COUNT would like to thank you, Mr. Chairman, and Representatives Ruggiero, Tanzi, Carson and McKiernan for sponsoring this important bill. We strongly urge you to pass this bill with the recommended modifications outlined above. Thank you for the opportunity to provide testimony today and for your commitment to the safety and well-being of Rhode Island's children.