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GOVERNMENT + POLITICS

Virginia's newest state office aims to close gaps in oversight over child welfare system

The Office of the Children's Ombudsman launched Wednesday, providing families with a forum for complaints and concerns

BY: **KATE MASTERS** - MAY 3, 2022 6:53 PM



📷 Virginia just launched its new Office of the Children's Ombudsman, aimed at overseeing the state's child welfare system. (Ned Oliver/ Virginia Mercury)

After decades of limited oversight, a new state office is dedicated to investigating and intervening when problems emerge within Virginia's child welfare system.

The Office of the Children’s Ombudsman officially launched Wednesday, nearly a year after former Gov. Ralph Northam [first appointed attorney Eric Reynolds](#) to helm the agency. While the office was formally created – and funded – through 2020 legislation, it’s been a priority for advocates since at least 2006, when Sen. John Edwards, D-Roanoke, filed one of the first bills attempting to establish the ombudsman position.

The measure failed, but a [subsequent study](#) by the Virginia Commission on Youth also endorsed the idea of an independent office. The 2008 report found that the state had “no central point of contact for children’s services,” leaving families without a way to navigate the system or file complaints outside the same agencies handling their cases.

“It’s meant to give families more power and accountability over government,” said Ali Faruk, director of public policy for the nonprofit Families Forward Virginia. “Because traditionally, the incentive has been to make these problems go away as quietly as possible.”

Like other child welfare advocates, Faruk said the problem stems from the state’s system of governance for social services. Virginia is one of nine states where agencies are considered “state-supervised and locally administered,” meaning that its 120 local departments of social services have [near-total autonomy](#) in how they carry out statewide guidelines.



📷 Sen. John Edwards, D-Roanoke, speaks on the Senate floor. (Ned Oliver/Virginia Mercury)

The system is intended to give Virginia’s diverse array of cities and counties more flexibility in responding to local issues. But in practice, it sometimes means the state has no clear way of intervening – even in egregious cases of wrongdoing. In 2016, for instance, an internal review of Rockbridge County’s department found a former supervisor had [shredded child abuse reports](#) before they could be assessed.

Despite the review, the state’s central agency in Richmond lacked the authority to discipline or take over the department, according to guidance from its Board of Social Services. Betty Wade Coyle, executive director emeritus of Prevent Child Abuse Hampton Roads, said families can try contacting [Virginia’s five regional offices](#) or reaching out to elected representatives, but often find their complaints are bounced back to the same local agency.

“A regional director could remove a local director if they weren’t doing their job properly, but that almost never happens,” she said. “So there are technically remedies in place, but they’re either unclear or hardly ever used.”



📷 House of Delegates members walk past the south portico around at the end of the veto session at the Virginia State Capitol in Richmond on April 22, 2020. Legislation passed the same year created Virginia's new Office of the Children's Ombudsman. (Pool Photo by Bob Brown/ Richmond Times-Dispatch)

The launch of the ombudsman's office comes as Virginia scrambles to manage a [critical shortage of foster care placements](#), which has forced more than 100 children to sleep in government offices, emergency rooms or hotels over the past year. For Reynolds, the crisis has only underscored his focus on the state's foster care system, another long-held priority for child welfare advocates.

Families often struggle to meet their local agency's criteria for reunification after children are removed from the home, and Virginia's current model for court-appointed representation is widely viewed as insufficient. As a result, advocates say some children end up staying in foster care longer than necessary.

Many local agencies fail to connect children with the appropriate services needed to keep them in a stable home, Reynolds added at a state Board of Social Services meeting last month. Virginia also ranks near the bottom in the nation for [kinship care](#) – placing children with relatives or close friends rather than unknown foster families.

Locating services and alternative placements can be laborious at a time when many local agencies are struggling with understaffing. But the frequent failure to collaborate with families and keep children in their communities has compounded the statewide crisis, experts say.

“Before this office was created, I worked in the judiciary and people would call with questions we couldn't answer,” Reynolds said at Wednesday's launch. “It's not our role – it's not the role

of the attorney general or the judiciary.”

“This office fills that gap,” he continued. “Now I don’t have to say, ‘I’m sorry, I can’t answer that question’ or refer them someplace that’s just going to refer them somewhere else. We’re it — we’re that person in the know who can tell you something real and meaningful.”

So far, the office has received around 160 calls even before officially launching, Reynolds said. It now has a webpage with more information on its role and an [online complaint form](#) for child welfare cases.

Faruk, like other advocates, said there’s still concern over the current limitations of the office. The ombudsman can open investigations into local agencies and ultimately conveys findings to the department’s leaders as well as its regional office and the state’s Commissioner of Social Services. The office can also follow up with agencies, and the hope is that greater scrutiny will help troubled local departments fix their problems faster.

But like the state’s central office, the ombudsman also can’t enforce its recommendations or findings. Reynolds, though, said the agency has the ability to release investigative reports and other issue briefs, which could put more pressure on both local departments and the state to find solutions.

“Part of our spiel is that we’re not here to point a finger,” he said. “We’re not a hammer — the General Assembly didn’t give us any enforcement rights. But we’ve got a flashlight, and we’re going to find the areas where there’s improvement to be had.”

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KATE MASTERS  

An award-winning reporter, Kate grew up in Northern Virginia before moving to the Midwest, earning her degree in journalism from the University of Missouri. She spent a year covering gun violence and public health for The Trace in Boston before joining The Frederick News-Post in Frederick County, Md. While at the News-Post, she won first place in feature writing and breaking news from the Maryland-Delaware-DC Press Association, and Best in Show for her coverage of the local opioid epidemic. Before joining the Mercury in 2020, she covered state and county politics for the Bethesda Beat in Montgomery County, Md.

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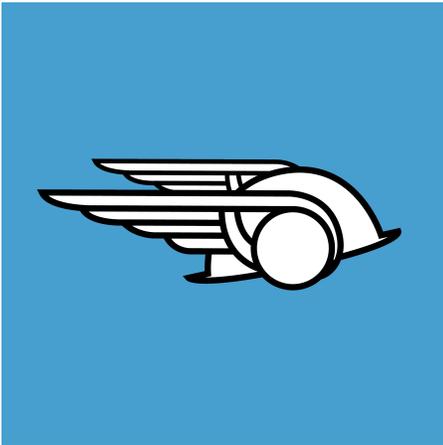
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