

Tampa Bay Times

Florida Legislature gives budget priority to hometown projects over at-risk kids

By Mary Ellen Klas and Carol Marbin Miller, Times/Herald Tallahassee Bureau

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TALLAHASSEE — In the wake of a bloody year for Florida youngsters, lawmakers have pledged to repair the state's frayed safety net for abused and neglected children.

But as the state's annual legislative session winds toward the final gavel, many children's advocates say legislative leaders have failed to match their words with action and fear some proposals may create new problems.

Gov. Rick Scott has proposed spending \$39 million to hire 400 "boots on the ground," or child abuse investigators who will respond to hotline reports and identify at-risk kids. But investigators typically work with a family for 60 days or less, and then families in need of follow-up help are sent to privately run local agencies.

Those agencies, the governor says, don't need new money. The agencies counter that if the governor's plan goes through, their already-backlogged caseloads will swell and families will compete for the services they need to keep children safe. They are asking for \$25.4 million more.

"If we get the words right on the paper but not do the funding for services, we may actually do some damage," said Kurt Kelly president of the Florida Coalition for Children, which represents the state's community-based-care providers. "There will be such an influx of children in need of services and we will not have the resources to serve them."

Florida lawmakers will devote the next two weeks to making choices about how to spend \$1.3 billion in new revenue as they craft a record \$75 billion state budget. The first drafts show that legislators' pet projects account for more new money than at-risk kids.

After the *Miami Herald* documented the deaths of 477 children in the past six years whose families were known previously to the Department of Children & Families, Florida legislators vowed to make repairs to the state's system.

"Oftentimes you get what you pay for and I think in child welfare we have gone on the cheap and I think that's been a mistake," said Senate President Don Gaetz, R-Niceville. "It's about money and we need to spend more money."

But how much more is still an open question. Neither the governor nor the Senate have embraced the Coalition for Children's request. The House budget, which has adopted the governor's plan to spend \$39 million on new investigators, includes \$4.6 million in new money for family support services.

The *Herald* investigation found that two-thirds of the 477 child deaths involved drug abuse or mental illness. Neither the governor nor legislators have proposed any significant increases in funding for a host of services

designed to help unfit parents, such as drug treatment, mental health counseling, domestic violence services or anger management classes.

Kelly laments that this comes after \$7.9 million was cut from the budgets of the local community-based-care organizations in recent years. "We have less money today than we had in 2007 and now we're talking about putting more kids in the system," he said.

The House and Senate priorities include \$500 million in tax and fee reductions, as well as hundreds of millions earmarked for optional hometown projects sought by individual legislators.

The projects are in dozens of counties, all of them home to a child who died because of abuse or neglect in the past six years, according to the *Herald* investigation.

In Pinellas County, where the *Herald* found 15 children died in the past six years, legislators have included \$24 million worth of one-time projects, such as a \$4 million for the Clearwater Marine Aquarium. And in Hillsborough County, where 34 children died, lawmakers are proposing \$5.4 million in new projects, such as \$2 million for the Tampa Jewish Community Center.

In Miami-Dade County, where the *Herald* found 25 children previously known to DCF who had died from abuse and neglect, legislators are proposing at least \$35 million in discretionary local projects. Among the proposals: \$10 million for the SkyRise observation tower in downtown Miami and \$1 million for the South Florida Military Museum.

"Every expenditure in the budget is important to the legislator who champions it," said Sen. Joe Negron, R-Stuart, chairman of the Senate Appropriations Committee.

But when it comes to budget choices, child advocates say the decision not to fund child safety programs today will have long-term consequences later.

According to DCF, the state spends \$72,709 per year for every abused and neglected child — to pay child welfare, hospitalization, special education and juvenile justice services. The cost of investigating abuse complaints in 2012 alone was more than \$312 million. And the cost of incarcerating a parent convicted of manslaughter or murder of a child: \$17,333 a year, according to the Department of Corrections.

Then, there is the human cost. Of the 477 child deaths investigated by the *Herald*, many were from families waiting for services.

In the winter of 2009, Rosemary Rodriguez was a parent in one of those families. She came to DCF's attention when her 11-month-old, Angeliah Duncan, sustained the first of two head injuries. Rodriguez said the baby rolled off the bed in the first case, and she accidentally hit the baby's head on the dresser in the second.

The Broward Sheriff's Office, which conducts child abuse investigations under contract with DCF, referred Rodriguez, to parenting classes and counseling. Rodriguez was just clearing a waiting list when, on June 15, 2009, her boyfriend shook Angeliah so violently her brain bled. She died less than three weeks before her first birthday.

"Just stop (bleeping) crying," the boyfriend, Cecil Weekes, screamed as the infant kept him from sleeping. Weekes, who was convicted of second-degree murder, told police the "baby was immediately lifeless, and he thought her neck was broken."

Broward County was home to 50 other children who died of abuse and neglect in the past six years. This year, legislators found \$2.2 million to pay for half a dozen discretionary projects for Broward residents, ranging from

\$75,000 for a medical simulator for Barry University's College of Health Sciences to \$500,000 for the Performing Arts Center Authority.

In Palm Beach County, where 22 children died in the past six years, legislators have proposed spending \$3.5 million on local and discretionary projects.

It's the same county where, in 2012, the mother of 1-month-old Emma Morrison was on a waiting list for parenting classes and family support when her daughter died.

Lisa Lamoureaux, the newborn's mom, had been the subject of 11 child abuse or neglect investigations over the past decade. She had a history of drug abuse, and had been arrested nine times, including charges of larceny, exploitation of the elderly, drug possession, DUI and prostitution.

Lamoureaux had lost custody of her four older children, and a report said the youngsters "thrived" outside her care, but when Emma was born on Nov. 29, 2012, DCF chose to allow Lamoureaux to raise the girl.

Investigators believed they could mitigate the risk to Emma by offering Lamoureaux services, including parenting classes. Lamoureaux was on a waiting list at Boys Town and had been referred to a second program, but she refused to participate.

Lamoureaux had been warned by her pediatrician not to share the same bed with her newborn, but an autopsy concluded Emma died on Jan. 17, 2013 from "probable positional asphyxia" after being accidentally smothered in an adult bed with Lamoureaux. Although a report described Lamoureaux's home as "not extraordinarily hazardous," it added that police found two crack pipes when they arrived to investigate Emma's death.

Negron said he and the Senate president are determined to find a way to improve the system to keep children safe, but he is not interested in bailing out the abusers.

"The responsibility for these acts perpetrated against children rests 100 percent with the perpetrator," he said. "I don't believe in corporate or community guilt for individual or horrific acts, especially done against children. So, while we want to do everything we can to prevent children from being in these situations and we're committed to it, let's be clear where the responsibility lies: Somebody who turns on boiling hot water over a child's legs — they're responsible for that."

Kelly says nearly \$18 million of the \$25.4 million they are requesting would help cover services to increase child safety, reduce the risk of future harm and stabilize at-risk families. Another \$7.6 million would go to hiring new staff to reduce the caseload from 20 per caseworker to 12, and gradually increase the base pay from \$30,000.

The governor's goal is to cut caseloads for child protective investigators from an average of one investigator for every 20 kids to one for every 10, said Pete Digre, assistant secretary at DCF. The plan also calls for investigators to double-team in cases that involve children who are most at risk.

At a visit to the Opa-locka DCF office last week, Scott was asked why he has not sought additional funding for the community-based services for families. His answer: There is no immediate need.

"Once you find the solution you can go back and work with the Legislature to get the funding," he said, suggesting that any action will wait another year. "That's what we'll do."

This is not the first time Scott has proposed increasing the number of child protective investigators. In 2012, when former DCF Secretary David Wilkins wanted to slow the turnover among child abuse investigators whose workloads were rising, lawmakers found a way to do it by cutting corners.

The Legislature gave DCF millions of dollars to hire 124 additional investigators, raise their salaries \$4,700 to \$39,600, and upgrade their promotional opportunities by establishing a "career path."

But rather than hire them as full-time employees and defy conservative principles of increasing government, the legislation allowed them to hire the new investigators as temporary, short-term workers, known in state government parlance as OPS, for other personnel services.

These employees were hired at an hourly wage but they were given no retirement benefits, no paid vacation or sick time. They are eligible for health insurance coverage and workers compensation pay.

Sen. Negron, who headed the budget committee that funded the program, said he was not aware the investigators had been hired without full benefits.

"The legislative intent was, regardless of their status, they were to be considered full-time state employees with benefits," he said. "If someone is working for the state of Florida as a CPI, they should be a state employee — with benefits."

Alexis Lambert, DCF spokeswoman, said the policy has worked to reduce turnover as OPS employees transition to career service jobs when vacancies occur. Turnover rates for CPIs, which had been 35.3 percent in 2011, were down to 21.6 percent in 2013, she said.

But Rich Templin, a lobbyist for the AFL-CIO, a union that does not represent DCF workers, believes this was not only an attempt to save money on a critical government job, but is part of a trend by the governor and Legislature to diminish career service jobs and abuse the temporary worker status.

"That is really the type of position that career service was set up for," he said. "It was designed to help them do the job as they saw fit without any political pressure but this is not a good scene — having so many OPS workers being responsible for at-risk kids. How can the state keep them with no benefits and no time off?"

This year, the governor's proposal for the 400 new investigators includes having them be full-time career service employees with full benefits, Lambert said.

"It's a huge deal," said Digre, DCF's assistant secretary, speaking to a *Herald* town hall meeting last week. He is optimistic that the policy will reduce investigator caseloads and improve the quality of investigations.

"We've got people in this town tonight that are trying to keep up with the well-being of 60 children. It is humanly impossible."

Miami Herald multimedia analyst Lazaro Gamio contributed to this report. Contact Mary Ellen Klas at @meklas@MiamiHerald.com and on Twitter @MaryEllenKlas

Proposed

Child hometown

deaths projects

County 2008-2013 2014-15*

Total statewide477 \$197,622,965

Hillsborough34 \$5,375,000

Pinellas15 \$24,157,753

Pasco11 \$3,500,000

Citrus8 \$500,000

Hernando7 \$1,000,000

*This list is a partial list of the discretionary, local projects proposed by the House and Senate for the 2014-15 budget year

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