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Child protection agency had mixed success under Baker

By Michael Levenson

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Charlie Baker calls it a “broken agency.” The state Department of Children and Families, he says, desperately needs systematic reforms and a new commissioner after losing track of a Fitchburg boy who is now presumed dead.

The department, he promises, will change if he is elected governor.

But what he doesn't tell voters is that, as a top state official two decades ago, he confronted a crisis with striking echoes of the current problems facing the state's child welfare agency. He is proud of the results he achieved, but some critics say he fell short.

On Baker's watch, adoptions increased, oversight was toughened, and a \$50 million computer system was installed to better track cases after the agency came under fire in 1992 for abruptly removing a boy from his longtime foster home. But social workers were still overburdened, with caseloads that were even heavier than they are now.

The problem reached a boiling point when an arbitrator sided with the social workers' union and ruled the state had repeatedly violated the workers' contract by not providing enough to bring caseloads to manageable levels.

Several members of a commission charged with overhauling the department during that time said Baker never fully embraced their call for proper staffing.

“The commission was a worthy exercise, but I had the feeling the recommendations of the commission were not given a lot of follow-through, which is why we're in the same position now that we were in then,” said Dr. Charles A. Welch, a psychiatrist who served on the commission. “We certainly gave them the blueprint to do something quite meaningful.”

In an interview, Baker said he had some successes in turning around the agency in the 1990s, but acknowledged some disappointments.

“Generally speaking, I think we got pretty far down the road on most of the stuff we were chasing,” he said. “But when I was at health and human services, I know we never got where we wanted to go on staffing and caseloads.”

Baker was 36 and had just been named secretary of health and human services in October 1992, when the fate of the child welfare system was thrust onto his agenda. As secretary under Governor William F. Weld, a Republican, Baker was not responsible for daily management, but oversaw broader initiatives and strategy.

The state child welfare agency, then known as the Department of Social Services, had been at the center of controversy since January of that year, after it suddenly removed an 11-year-old named Mikey Sanborn from his foster home of eight years, arguing he would do better in a home with fewer children. His removal crystallized many foster families’ fears about the social services system and sparked a high-profile furor.

Baker responded by appointing an independent social worker to handle Mikey’s case, effectively removing it from department control. He also met with Lynn Sanborn, Mikey’s foster mother, who said Baker struggled to understand the plight of foster parents.

Weld had already set up the commission to review Mikey’s case and to recommend changes in the agency.

Dr. Eli Newberger, a pediatrician and commission member, said Baker, though not officially serving on the panel, often joined them as they read through thick, 4-foot-high case files of abused children.

“There was no question in my mind: He was attentive,” Newberger said. “I sat at the head of the table; he was right by my side.”

The commission’s findings were disturbing. The panel determined that the department was “in the midst of an organizational breakdown” and that children in its custody had been “exposed to repeated abuse and neglect.” It concluded that the removal of Mikey from the Sanborn home was a “knowing, egregious abuse of DSS power.”

The panel issued more than two dozen recommendations, including a stronger focus on reducing caseloads for social workers.

Baker tried to stabilize the agency. He ordered a review of all 23,000 children under department care to identify any who were at risk; vowed to obtain the criminal records of all members of a household where a child in custody was living; and to create a deputy commissioner tasked with representing the interests of social workers.

He helped recruit a new commissioner, Linda Carlisle, a Democrat from New York, who said she was initially nervous about working for Republicans, but found Baker to be a “very pragmatic, thoughtful kind of guy.”

Slowly, the department began to emerge from the shadow of the Mikey case. The department nearly doubled the number of foster children who were adopted between 1992 and 1994, after hiring 77 workers dedicated to the task.

The agency also hired 300 social workers, set up regional offices, and launched a system to ensure that supervisors regularly reviewed cases, according to a 1995 Globe opinion piece by Gael Mahony, the lawyer who led the commission.

“Nobody ever believes this when I say it, because I’m a Republican,” Baker said in an interview last week with the Globe. “But I didn’t go to health and human services to torch and burn the place down. I went there because I think it’s one of the most fundamental things we should try to do well in government.”

But caseloads remained a problem.

Currently, social workers are protesting having to handle 18 cases each, as the agency has faced intense criticism for failing to keep an eye on Jeremiah Oliver, a 5-year-old from Fitchburg who has not been seen since September.

But during the Baker years, from 1992 to 1994, each social worker handled 19 to 21 cases on average. Hundreds had more than 22 cases each, according to state data compiled by the social workers’ union.

In 1998, when Baker was state budget chief, an arbitrator ruled that the Weld administration had repeatedly violated the social workers’ contract by not asking the Legislature for money to reduce caseloads.

The arbitrator found that, in 1996 even when the Legislature provided enough funding to bring caseloads down to 18 per worker, the administration did not spend all the money. Instead, the administration sent \$1.9 million from the department’s budget back into state coffers. The arbitrator ordered the state to give \$950,000 back to the social workers, to pay for overtime they had worked.

“The Weld administration talked, at times, a good game about wanting to hire more social workers when there was a crisis,” said Edward J. Malloy Jr., then president of the social workers’ union. “But then, when you looked, there wasn’t any follow through.”

Baker said there were times when he asked the Legislature for more money for the department and was denied. He also said it was a struggle to find qualified social workers.

“You can’t just flick a switch like that and, all of a sudden, people fall out of the sky who fit the skills and roles and responsibilities you’re looking to solve for,” he said.

Baker was known, however, as a tough gatekeeper when it came to spending on social services.

“Charlie wanted to know, ‘How is that money going to be used to move the needle?’ ” said Michael D. Weekes, a former deputy commissioner at the department. “What are we trying to get to here? How is that going to help? If we were able to make the case effectively, you were able to gain support from Charlie.”

As he wages his second run for governor this year, Baker has seized on Jeremiah Oliver’s disappearance to call for changes in the social services system. He rarely mentions his own experience with the agency, but it seems to inform his thinking. He vows to scrutinize the agency by region and says he would try again to reduce caseloads.

Jetta Bernier, who since 1984 has been executive director of the advocacy group Massachusetts Citizens for Children, said that is a goal Baker could not accomplish two decades ago.

“The bottom line,” she said, “is the caseload issue, which is the biggest issue on the table, has never been addressed.”

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