

Legislative Task Force on Child Protection

February 9, 2024

Thank you Chair Mitchell and members. For the record, my name is Misty Coonce, my pronouns are she/her, and I am the Ombudsperson for Foster Youth for the state of Minnesota. I speak today on behalf of the Office of Ombudsperson for Foster Youth, as well as the Office of Ombudsperson for Families, and Office of Ombudsperson for AMERICAN INDIAN Families.

We appreciate the opportunity to speak about our office's interest in having direct access to information that is maintained in systems that contain key child welfare related case information, such as the Social Service Information System, commonly referred to as SSIS.

Through the enabling statutes for each of our offices, we currently have the power to request and be given access to a wide breadth of information from agencies. This includes information such as juvenile court data, foster care placement data, and medical data, which may include private data or confidential data, when it is deemed necessary for performing our ombudsperson's responsibilities.

Currently, our offices do not have direct access or log-ins to SSIS. We have to rely on a process of requesting the data and records we need from either the Department of Human Services or the local social services agency responsible for the case, so that we can perform our investigative and oversight duties. This process can take quite some time, and we can't ensure that we are seeing all of the information that is needed in a record for us to complete our duties.

What we are seeking is direct access to SSIS and to some of the child welfare case data that it contains, such as child protection, foster care and adoption case records. Direct access to the state's departmental computer networks is an essential tool for our agency's abilities to carry out our statutory mandates.

This is a high need for our offices, as it promotes transparency and accountability for our state's child welfare systems. It also decreases the time burden for DHS or the social service agency in searching for and providing the necessary case information in response to our requests.

It would expedite and empower our agency's investigative abilities, and it would help us to more easily establish jurisdiction when our office receives a complaint or question needing resolution.

In addition to having access to the child welfare information that my office and the Office of Ombudsperson for Families are looking for within SSIS, the Office of Ombudsperson for AMERICAN INDIAN Families, would specifically need access to important information about all things regarding Indian Child Welfare Act cases, including Inquiry and Active Efforts.

In comparison to similar Ombuds offices in other states who also respond to complaints from children and families involved with the state's child protection system, Minnesota is the exception by restricting direct access. In a survey of other's states offices last year, of the 19 who responded, all but one office had direct access and agreed that this direct access was a high need, as it supports transparency and accountability.

Our offices request read only access, which eliminates any possibility of deleting or altering records. We understand and respect that there would be some restrictions to what we can access, such as documents or correspondence that would be considered attorney-client privilege or documents filed under seal of the court. Our offices can commit to upholding standards for safeguarding the confidentiality of information in accordance with data privacy requirements under Chapter 13.

Thank you for your time on this topic, and we welcome any questions that you have today or in the future.

Respectfully submitted by:

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