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MEMORANDUM

TO: Mayor Leahy and Members of the City Council

FROM: Eileen Donoghue, City Manager *EMD*

DATE: June 8, 2021

SUBJECT: MOTION RESPONSE - 5/11/21 – **C. Elliott/C. Nuon/C. Chau** - Req. City Mgr. Spearhead A Working Group Of The Appropriate Individuals, Including Members Of The Police And School Department, To Initiate Action With Regard To The Recent Mass. Dept. Of Children And Families Report On Suspected Child Abuse In Lowell.

In April, the Massachusetts Department of Children and Families (DCF) produced a report in response to a public records request detailing the number of reports of child abuse and/or neglect filed under section 51A, commonly referred to as “51A reports,” in each area of the state during the first three months of 2021. The report indicated that a total of 1,348 reports were filed in the Greater Lowell area during that period. Following the City Council’s motion requesting the City’s attention to this significant volume of reports, my office has engaged directly with DCF to evaluate the context of this data, determine potential causes of a regional uptick in reports, and to assess the potential of supplemental involvement in child abuse/neglect cases at the municipal level.

Intake Counts and Screening Rates in Greater Lowell Area

When a 51A report is filed with DCF, intake units conduct a screening process to determine whether a report is appropriate for further action. The purpose of screening is to gather sufficient information to determine whether a Department response is necessary or might be necessary to ensure a child's safety and well-being. If it is determined that the allegations of abuse and/or neglect are true, a case is “screened-in” for further action from the Department. Reports that do not meet the standards for Departmental response are “screened-out.” In certain instances, where it is determined that a crime may have been involved in the report, cases may also be screened out and referred to the District Attorney for further action.

According to data obtained from DCF, of the 1,238 reports filed in the Greater Lowell area in the first three months of 2021, a significant volume were screened out. The chart below provides a breakdown on screening determinations for cases filed during this period.

Area	Metric	21-Jan	21-Feb	21-Mar
Greater Lowell	Count of Reports Screened in for Emergency Response	50	40	47
	% 51A Reports Screened-In for Emergency Response	12.72%	11.80%	10.33%
	Count of Reports Screened in for Non-Emergency Response	160	142	187
	% 51A Reports Screened-In for Non-Emergency Response	40.71%	41.89%	41.10%
	Count of Reports Screened Out	160	132	192
	% 51A Reports Screened Out	40.71%	38.94%	42.20%
	Count of Reports Screened Out for DA Referral	23	25	29
	% 51A Reports Screened Out for DA Referral	5.85%	7.37%	6.37%

On average during this three month period, roughly 40% of cases were screened-out by the department, which represents a modest decrease compared to normal, pre-pandemic screening rates. According to public [quarterly reports](#) released by DCF, over the same three month period in 2019 and 2020, 44% of cases were screened out. This slight variation may be attributable to pandemic-derived patterns in the sources of 51 reports. Nevertheless, in assessing the extent of child abuse and neglect cases that have taking place in the area, it is valuable to consider the percentage of reports that have been screened out.

Further, in certain instances multiple reports may be filed on one child or family. The 1,348 figure refers to a raw number of reports, and did not remove duplicates.

It is also worth noting that the data produced by DCF on intake counts breaks down cases by “area,” which refers to the territories serviced by DCF’s 29 office locations. The Greater Lowell area is comprised of thirteen communities: Ayer, Billerica, Chelmsford, Dracut, Dunstable, Groton, Lowell, Pepperell, Shirley, Tewksbury, Townsend, Tyngsborough, and Westford. Notably, DCF’s areas are not precisely equal in overall population or school-aged population. While reporting based on DCF’s data identified the Greater Lowell area as having the highest number of 51A reports, comparing data by area may not be an informative method of assessing the frequency of child abuse and neglect cases given the difference in population among areas. Based on publically available data, it is not possible to determine what percentage of the 1,348 reports filed in the Greater Lowell area occurred in the City of Lowell.

Statewide Trends During COVID-19 Crisis

The Department of Children and Families has closely monitored and [published research](#) on trends in 51A reporting during the COVID-19 crisis. Overall, following the onset of the public health crisis in Massachusetts and the ensuing statewide shutdown, cases declined significantly and remained below pre-pandemic levels for several months. This is likely attributable to the closure of schools and the reduced interaction between children and teachers/school staff, generally among the most common source of 51A reports. Statewide, reports appears to have gradually increased towards pre-pandemic levels, a trend that is anticipated to continue as children return to schools.

While there is no breakdown available of 51A reports in the Greater Lowell area by reporter type (public safety personnel, school personnel, etc.), based on statewide data, it is likely that the local uptick in reports is attributable a renewed frequency in reporting from school personnel. Truancy, both as it relates to in-person

and virtual learning, may be a cause for an educator to file a 51A report, thus it is possible for poor attendance in remote learning to prompt a 51A report. There is, however, no publically available data that reflects the frequency with which this may occur.

According to the DCF, regional trends in 51A reporting are monitored at all times, and if an unusual surge in reports is detected in a particular area, additional resources are deployed to ensure that cases are processed and responded to in a timely manner.

Limitations on Local Intervention

Healthcare workers, teachers, coaches, councilors, social workers, clergy members, foster parents, and police officers are all considered mandated reporters in Massachusetts. As a result of their profession, a mandated reporter is more likely to be aware of abuse and/or neglect and is therefore required under state statute to file a report with the closest DCF office or via the Child-at-Risk Hotline within 48 hours of detecting an instance of child abuse or neglect. Mandated reporters who are licensed by the Commonwealth are required to complete training to recognize and report suspected child abuse and/or neglect.

Given the strict statutory requirements of mandated reporters and the regimented process by which these reports are evaluated by DCF, there is limited opportunity for information on child abuse or neglect cases to be conveyed to local authorities for further action or to initiate an alternative response. Additionally, once a report is filed with DCF, the information is confidential and protected by the Department.

While the factors mentioned may inhibit the ability for a municipality to initiate action in response to child abuse and neglect cases, municipalities do play a significant role in the 51A process as employers of a significant number of mandated employers, namely school staff and public safety personnel. The obligations of these employees as mandated reporters are clearly stipulated in employee policy documents of both the Lowell Police Department and Lowell Public Schools. Additionally, the Middlesex County DA's office has produced a comprehensive [training](#) for mandated reporters, which is required for personnel that work with children.

Resources for Children and Families

Depending on the outcome of DCF's screening and investigation, families that are subject to a report may be referred to community services to assist them in addressing that factors that led to the report. Some families come to the attention of DCF outside the 51A process: Children Requiring Assistance (CRA) cases referred by the Juvenile Court, cases referred by the Probate and Family Court, babies surrendered under the Safe Haven Act, and voluntary requests for services by a parent/family. These cases are generally referred directly for family assessment.

The NFI Family Resource Center of Greater Lowell operates as an access hub to a comprehensive network of affiliated human service providers and community agencies for families of the Greater Lowell Area. They serve all family members, and offer specialized services, either on-site or through referrals within their network of providers, for youth who present with Child Requiring Assistance (CRA)-related issues. Services

include career support, mental health counseling, family support, education support, Child Requiring Assistance (CRA) support, and more.

Their office on Prescott St. in Lowell is able to provide a variety of services onsite:

- Information and referral
- Evidence based programs for youth and parents
- Peer support groups
- Assessment and family support planning
- Cultural, recreational, and community service opportunities
- Basic needs (clothing, food, etc.)

Family Resource Centers are also equipped to connect individuals with other agencies in cases where they require services that are not provided in-house. Individuals and families are not required to receive a referral from DCF to receive services through the Family Resource Center. Families seeking support can walk-in for service, or call (978) 455-0701.