

# San Antonio Express-News

## **NEW: Budget doesn't allow photographing in child abuse cases, committee told**

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**W. Gardner Selby**  
**Express-News Austin Bureau**

AUSTIN — Plans to photograph Texas children in abuse and neglect investigations — prompted by the December death of a San Antonio boy — will not be implemented unless funding is assured next year, legislators were told Thursday.

“That's too long to wait,” responded state Rep. Carlos Uresti, D-San Antonio.

Thomas Chapmond, commissioner of the Department of Family & Protective Services, told the House Human Services Committee the distribution of cameras to investigators is “not something we can do immediately.” He said the agency has not pinpointed the cost of purchasing cameras, software or storage devices, which an aide said later would be distributed to 800 to 1,000 child abuse investigators.

“The longer we wait, those digital cameras are going down in cost all the time,” Chapmond told the panel.

The agency's intention to take photographs during investigations was among policy changes declared last month that were prompted by the Christmas Day starvation death of 4-year-old Jovonie Ochoa in his grandparents' home. Agency spokesman Geoff Wool said Bexar County investigators already have cameras for child abuse and neglect investigations.

As of February, investigators in the county have been told to take photographs of every child who is the subject of an investigation. Previously, only children with visible signs of abuse or neglect had their picture taken. Ochoa had no such signs so his picture was not taken, Wool said.

As for putting cameras in the hands of caseworkers statewide, “There are financial priorities that you have to do and I don't have an available pot of cash to be able to devote toward that,” Chapmond said after the hearing.

Uresti, the committee chairman, noted the next state budget will not take effect until September 2005.

“That's almost two years away,” he said. “That's a lot of children who go through the system and that's too many children to wait for. It's going to be a priority for me.”

Uresti said he intends to talk with Republican leaders, Chapmond and Albert Hawkins, commissioner of health and human services, to see if funds might be made available more quickly.

Among additional changes at the agency, Chapmond said child abuse investigators will soon have new guidelines for when they can't locate a family, encouraging them to seek help from law enforcement agencies and — through their supervisors — the courts.

Another change, slated for Sept. 1, would create an “unable to complete” designation for investigators to mark when they are unable to find or work with a family or child. Chapmond said the designation will serve as a “red flag” if anyone subsequently contacts the agency regarding the same child or family. The caseworker investigating allegations that Liza Ochoa was physically abusing her three children couldn't find her during a four-month investigation. The case was closed two months later and classified as “unable to determine.”

On a different front, Chapmond told the committee that adoptions through the agency have steadily increased, though the number of children awaiting adoption has surged even more. Adoptions through the agency reached a high of 2,444 in 2003, up nearly 20 percent from 1999 and more than 350 percent from 1992. But children awaiting adoption increased nearly 60 percent since 1999 — to 3,766 in 2003.

Scott McCown of the Center for Public Policy Priorities, an advocacy group for low-income Texans, told the panel that more children are entering foster care, and an increasing number of them have special needs ranging from development delays to severe physical and mental disabilities.

“For kids, the situation is getting worse and worse,” he said.

State District Judge John Specia of San Antonio said that despite successes both in finding adoptive homes for abused and neglected children, and in returning children to their parents or other family members, he was “shocked” at the escalating number of children needing foster care.

“We're not spending the kind of money we ought to be spending,” Specia said.

*gselby@express-news.net*