



**COMPREHENSIVE UPDATE ON THE ONGOING CASE
INVOLVING HARMONY MONTGOMERY AND
RECOMMENDED SYSTEMATIC IMPROVEMENTS**

FEBRUARY 25, 2022

Upon review of information provided and in consultation with the Attorney General, the following is being released by the Governor's Office to assist law enforcement and members of the public in locating Harmony Montgomery while making recommendations for systematic improvements that will benefit all children.

As required by law, certain discretion has been taken to remove personal details not pertinent to finding Harmony. The information within this update is strictly based upon New Hampshire's review and consequently additional information by other organizations may be released from their reviews that are concurrently ongoing.

A Quality Assurance Review of the matter of Harmony Montgomery was conducted on February 9, 2022. That review is confidential under New Hampshire law and federal lawⁱ.

CASE HISTORY

Harmony is a 7 year old child who is missing. Harmony's mother, Crystal Sorey had custody of Harmony until 2018. Harmony's last confirmed home was in Manchester with her father, Adam Montgomery ("Montgomery"), her stepmother, Kayla Montgomery, and her two half-siblings. This family was troubled, transient, and engaged with the Massachusetts child protection system prior to Harmony arriving in New Hampshire.

According to Ms. Sorey, she last saw Harmony over Facetime around Easter 2019. Ms. Sorey had custody of Harmony until 2018 and in mid-February 2019 a Massachusetts court ordered Harmony be sent to her father in New Hampshire. Harmony was sent to her father without the court requiring any further review of him or his home, such as through a home study under the Interstate Compact for the Placement of Children (ICPC). No calls were made to New Hampshire's Central Intake raising concerns regarding this Massachusetts court placement.

The following summary is intended to share relevant information about DCYF's involvement with the Montgomery family as it relates to Harmony Montgomery to assist the public with finding Harmony and help contextualize the circumstances surrounding recommendations for system improvement. It is not a complete case history. Details regarding DCYF's involvement with the Montgomery family that do not relate to Harmony Montgomery have not been included.

Interstate Compact for the Placement of Children (Dec.19, 2018 – Feb. 19, 2019):

Harmony Montgomery first came to the Department's attention through a request from the Massachusetts Department of Children and Families on December 19, 2018 to conduct an Interstate Compact for the Placement of Children (ICPC) Home Study on Adam Montgomery and Kayla Montgomery who resided in Manchester, New Hampshire. The initial request lacked the requisite information to initiate a home study, and an email was sent from NH DCYF on December 20, 2018 asking for additional information regarding Massachusetts DCF's work to date with Adam Montgomery and Kayla Montgomery. Prior to receiving the requested additional information, NH DCYF was notified that the Massachusetts' court had awarded custody to Adam Montgomery.

Assessment (July 29, 2019 – Oct. 21, 2019):

On July 29, 2019 an anonymous call was made to NH DCYF Intake regarding Harmony Montgomery alleging potential abuse. The reporter alleged that when they visited the home a week prior, on July 22, 2019, Harmony Montgomery had a black eye that Adam Montgomery admitted to causing. The report was screened in and a CPSW as assigned.

The CPSW visited the home, and observed the children, including Harmony Montgomery, the same day as the report, July 29, 2019. On that date the CPSW sent an email to Manchester Police Department advising that they did not observe an injury on the child consistent with a black eye. This assessment was conducted as Adam Montgomery and Harmony were entering their vehicle and departing. However, during a second visit and more detailed assessment on August 7, 2019 the same CPSW interviewed Harmony Montgomery, Adam Montgomery, and Kayla Montgomery, and noted a red mark in her eye and faded bruising under her eyelid. When interviewed, Harmony Montgomery and Adam Montgomery said that the mark was caused by horseplay with another sibling when a toy light saber struck Harmony Montgomery near her eye. Kayla Montgomery reports that she did not observe the injury when it happened, but that she was contemporaneously told the same story.

The CPSW spoke with Harmony Montgomery's biological mother, Crystal Sorey, who asserted that she lost custody in Massachusetts and that Adam Montgomery obtained full custody of Harmony Montgomery.

During the course of the assessment the CPSW made three home visits, two of which were unannounced. The children appeared happy and healthy. The CPSW made a final visit to the home on October 1, 2019 and saw Adam Montgomery, Kayla Montgomery, Harmony Montgomery, and the other children in the household. The assessment was determined to be unfounded, however the situation was scored high risk for future child welfare involvement pursuant to the Risk Assessment tool citing the history of substance use, prior family history with child protection, and economic challenges. A closing letter was sent to Adam Montgomery and Kayla Montgomery on October 17, 2019 advising the family of the finding and recommended additional services to assist with housing.

Currently, the system does not make available Harmony's history in Massachusetts, including any request for an ICPC, and as such the information was not readily available to the CPSW.

Assessment (Jan. 8, 2020 – March 23, 2020):

On January 8, 2020, a referral was received by NH DCYF regarding the Montgomery household, but did not reference Harmony Montgomery. When the CPSW asked about Harmony Montgomery, Adam Montgomery advised that she was again residing with her mother, Crystal Sorey, in Massachusetts and had been there since approximately Thanksgiving 2019. On January 21, 2020, the CPSW called and left a voicemail with Crystal Sorey to confirm Harmony's residence. Crystal Sorey never returned the call and there is no evidence in the record of any additional attempts to contact her.

Overlapping Assessments (Jan. 13, 2021 – July 8, 2021):

On January 13, 2021 and on March 16, 2021 additional referrals were received by NH DCYF regarding the Montgomery household, unrelated to Harmony Montgomery. When the CPSW inquired about Harmony Montgomery, Adam Montgomery stated again that she was still living with her mother, Crystal Sorey, and that he had not seen her in a year.

Current Assessment/Case (September 7, 2021 through Present):

In September 2021, someone known to be a close contact of Ms. Sorey contacted NH DCYF and raised concerns that Ms. Sorey has not seen Harmony since 2019 and has not been able to contact Montgomery to visit with Harmony. It should be noted that NH DCYF has conducted a thorough review of its records and has no record of any call from Ms. Sorey between October 2019 and September 2021. DCYF then contacted the Manchester Department of Education and confirmed that Harmony had never been registered for school in the Manchester public school system.

The matter was assigned to the Manchester DCYF District Office on September 14, 2021. During that time, believing that Harmony Montgomery was with Adam Montgomery and Kayla Montgomery, the Manchester DCYF District Office attempted to locate the family: checking with the individual schools in the areas Adam Montgomery and Kayla Montgomery were last known to live; speaking with Crystal Sorey; leaving voicemails at the last known number for Kayla Montgomery and Adam Montgomery; visiting multiple addresses where the family was known to previously reside; requesting that Manchester Schools complete a comprehensive search for any prior records of Harmony Montgomery; completing searches of public benefit databases; and conducting an Accurint search.

On November 18, 2021, the Manchester Police Department joined the effort to locate the family, visiting multiple addresses where the family had previously resided. The CPSW attempted additional calls to Adam Montgomery and Kayla Montgomery and spoke to other family members who did not know where the family was living. The CPSW reached out to Maine and Massachusetts child protection agencies who had no recent involvement with the family.

The Manchester Police Department actively investigated Ms. Sorey's concerns regarding not being able to locate Harmony. And, as reported in affidavits on file on December 31, 2021, Manchester Police Department spoke with Kayla Montgomery who stated that the last time she had seen Harmony was in November or December 2019. She said that Montgomery stated that he was driving Harmony back to her mother. Kayla Montgomery further stated that it was on the day after Thanksgiving in 2019 that Montgomery stated he was taking Harmony to her mother.

On December 31, 2021, Manchester Police located Montgomery, but he did not have Harmony in his care. Montgomery provided contradictory and unconvincing explanations of Harmony's whereabouts, including saying that Ms. Sorey picked Harmony up while he told Kayla Montgomery that he was driving Harmony to Massachusetts to her mother. At that point the DCYF investigation changed from one in which a family was thought to have moved to an unknown location to one where a young child was missing. On January 4, 2022, Adam Montgomery was arrested, by the Manchester Police Department, on one misdemeanor charge of interference with

custody, two misdemeanor charges of endangering the welfare of a child and one felony charge of second degree assault.

Additionally, on December 31, 2021, Kayla Montgomery informed the Manchester Police Department that she had not seen Harmony since November or December 2019. Manchester Police investigated Kayla Montgomery and her possible involvement in Harmony's disappearance. Manchester Police determined that, on February 25, 2019, Kayla Montgomery filed an affidavit with the Department of Health and Human Services, Division of Family Assistance, in which she added Harmony to her family account as Harmony was then living with them full-time. Kayla Montgomery admitted to Manchester Police that she had been receiving the additional food stamp assistance for Harmony. She stated that she had tried to remove Harmony from the account but had been unsuccessful. The Manchester Police Department's investigation shows that Kayla Montgomery did not try to remove Harmony from the account until June 2, 2021.

As a result of their investigation, Manchester Police determined that, between December 2019 and June 2021, Kayla Montgomery obtained over \$1,500 in food stamp benefits by failing to remove Harmony from Kayla Montgomery's family account and continuing to collect food stamp benefits for Harmony, despite not having Harmony in her household. On January 6, 2022, Manchester Police arrested Kayla Montgomery on one felony charge of welfare fraud contrary to RSA 167:17-b.

RECOMMENDATIONS FOR SYSTEM IMPROVEMENTS

Increased Cross Border Communication and Collaboration:

- The ICPC was passed in 1965 and is not well suited for the modern day. It lacks clear processes and expectation for communication and provides no framework for dispute resolution should states disagree about a matter. While regulations were developed to better address these gaps, in many states, including New Hampshire, pursuant to case-law, these regulations operate more as guidelines than enforceable law. Moreover, as it relates to this review, the ICPC lacks clarity as to which types of child placements apply; this has led to different states creating and applying different standards. On this particular topic, the new ICPC would apply to placements of children in foster care with parents in other states unless the court found: 1) that the parent already has a substantial relationship with the child, and 2) that the placement is in the child's best interest. A new ICPC was drafted and shared with states in 2007 and becomes effective when 35 states have enacted it.
 1. New Hampshire should pass the new ICPC.
 - Two New Hampshire Senators are supporting such legislation this session, SB397, which has passed the New Hampshire Senate. Legislation to adopt the new ICPC was also introduced in the prior two legislative sessions.
 2. Because the new ICPC will not become effective until 35 states enact it, the Legislature should pass legislation to make the ICPC provisions applying to parents effective immediately.

- This could be accomplished this legislative session by amending SB397 in the New Hampshire House of Representatives.
- 3. New Hampshire's leaders in the Executive and Legislative branches must work together with their colleagues in other states to swiftly enact the new ICPC.
- 4. New Hampshire must not wait for national action and instead should work with bordering and other New England states to enter into an "ICPC Border Agreement" as a way to improve cross-state communication and collaboration.
 - Preliminary conversations to explore this have begun through the New England Child Welfare Commissioners and Directors Association.

Strengthen Processes to help ensure safety of children who move out of a household

- When reviewing critical incidents, caution must be exercised to ensure that hindsight bias does not influence our understanding of what individuals reasonably understood in real time. Nevertheless, it is helpful to use what we know today to understand what information may have been helpful and ensure individuals have access to the information and support necessary to make the best decisions. It is clear that better decisions are made when staff are: well-informed of a family's situation and family members' history; have adequate supervisory and team support to make good decisions; have time to truly engage with families; have time to understand a family's needs; and have resources to help meet those needs therefore:
 1. New Hampshire should move quickly to replace the antiquated "Bridges" case management system with a modern, user-friendly case management system. Ensure the new system includes the ability to easily see all history related to a child or family, including information regarding ICPC requests, "courtesy" visits to families at the request of other states, and other information potentially received by DCYF outside of a formal assessment or case. Include a genogram-maker application to help staff easily visualize and understand complex family structures.
 - Funding was secured this biennium, an RFP has been issued, and the state is in negotiations with a potential vendor. Funds will have to be appropriated in the next biennium to complete the project.
 2. Add an Assistant Supervisor position to the Manchester District Office.
 - The Manchester District Office is one of the busiest offices in the state and has a higher volume of assessments deemed as high risk than other parts of the state. Many of the frontline staff have less experience than in other parts of the state, rendering strong and frequent supervision very important.
 - An additional District Office Supervisor was added to the office last year to focus specifically on assessment practice.
 - A 1:5 supervisor-to-staff ratio is considered appropriate to ensure that a supervisor has the time and ability to understand and assist with every family on a CPSWs caseload; an additional assistant supervisor will allow the office to achieve that ratio.

3. Continue to work to ensure that Assessment Caseloads remain as low as possible to safeguard that staff have time to thoroughly assess and understand a family's situation and connect them with appropriate resources as needed.
 - Current assessment caseloads are 16 per person compared to 90 per person five years ago. There are more assessment CPSWs than ever before. Nevertheless recruitment and retention efforts must remain a priority to ensure our caseload goal is met and can be sustained for the betterment of children and their families.
4. Increase the utilization of Community Based Voluntary Services (CBVS), which began serving families in March 2021 following a competitive procurement process, by increasing referral volume and voluntary family enrollment.
 - The model is designed to work with families who are identified as high or very high risk for repeat child welfare system involvement in instances where child abuse or neglect is not founded. The model utilizes two evidence based practices to engage families, understand their needs, connect them with services and resources, and address parental capacity.
 - At the end of the July 2019 assessment, the allegation about the Montgomery family was unfounded, but they were identified as high risk of repeat child welfare system involvement. They were provided with referrals for housing supports, but a warm handoff to a Community Based Voluntary Service provider, as would have been indicated by current practice, would have been more supportive and potentially successful intervention.
5. Amend NH DCYF Policy to require confirmation of the residence of all children who are known to be members of a household, including one who is alleged to have moved from a family. In the event the new caregiver is unresponsive, enlist the support of local law enforcement to complete a welfare check in order to ensure the welfare of the child.

Members of the public are urged to please come forward with any information they may have on this case that may lead to finding Harmony.

ⁱ See RSA 169-C:25, RSA 170-G:8-a, RSA 126-A:4, IV, and Child Abuse Prevention and Treatment Act (CAPTA) sections 106(b)(2)(B)(viii) (confidentiality of reports and records on child abuse and neglect) and (x) (release of limited information in cases of child fatalities or near fatalities is allowed).