



By Daniel Pollack

Text Taunting to Suicide: The Role of Child Protective Services

Two movies have already been made. *Conrad and Michelle: If Words Could Kill*, and *I Love You, Now Die*, depict the tragedy we've all heard about. Conrad Roy was encouraged to commit suicide via text messages and phone by his teenage girlfriend, Michelle Carter.

Among the hundreds of texts Carter to Roy wrote were: "You can't think about it. You just have to do it. You said you were gonna do it. Like I don't get why you aren't." Eventually, after Carter encouraged Roy to "get back in" his pickup truck, Roy was found dead in a parking lot near Boston, having inhaled a lethal dose of carbon monoxide while inside his truck.

At sentencing, the Taunton County, MA judge said: "Having reviewed the evidence and applied the law thereto, I now find you [Michelle Carter] guilty on the indictment charging you with the involuntary manslaughter of the person Conrad Roy III." Even as her lawyers appeal her conviction to the U.S. Supreme Court, Michelle Carter was ordered to start serving her sentence for persuading Roy to kill himself.

The First Amendment issues are numerous and pressing. Among others, the defendant's appellate brief questions:

■ "Whether the evidence at trial was insufficient to prove that (a) Carter committed any wanton or reckless act, or (b) Carter wantonly and recklessly failed to act, and (c) her conduct, whether by commission or omission, proximately caused Roy to commit suicide?"



- Whether the common law of involuntary manslaughter, as applied to encouraging suicide, is unconstitutionally vague because it fails to give adequate notice and invites arbitrary enforcement?
- Whether the common law of involuntary manslaughter, as applied to encouraging suicide, unlawfully penalizes and chills protected speech?
- Whether Carter was wrongfully convicted as a youthful offender, because she did not "inflict" any injury on Roy, as [the law] requires?
- Whether the judge improperly failed to apply a reasonable juvenile standard to Carter's conduct given the evolving understanding of adolescent psychology?
- Whether the judge violated Carter's right to present a defense and abused

his discretion by excluding all expert testimony on adolescent psychology, which was relevant to Carter's culpability?"

From a policy perspective, what constructive role might a public human services agency or child protective services (CPS) play in discouraging this macabre text taunting to suicide activity?

Agencies can:

- Evaluate the extent to which local patterns of suicide are following national trends.
- Determine whether initiatives adopted elsewhere might be suitable in their locale. Smaller agencies should consider collaborating with their neighboring jurisdictions to

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formulate a single effective strategy. Including law enforcement, other mental health agencies, and schools would also be advisable. California attorney Becca Furman underscores the importance of working cooperatively with schools: “Schools are an ideal place to reach vulnerable students, as students spend multiple hours each day with the same group of teachers and peers and teachers are already under a legal obligation to report suspected abuse. Various state and federal laws, including Title IX, protect students, but teachers and administrators still miss signs that a child is at risk. This can be due to lack of training,

willful ignorance, or lack of support. It is imperative that administrators and teachers be equipped with the resources to recognize vulnerable students, report a teacher’s concerns, and provide guidance for students. This includes increasing the number of counselors and mental health professionals on school grounds, having teachers work with professionals so they can spot bullying or mental health red flags, and creating a school culture of identifying students who are struggling.”

■ Identify unique local risk factors and behaviors that may make suicides more likely. Specific attention should be paid to socioeconomic, disability,

religious, and cultural social norms among high-risk groups.

■ Spearhead discussions and common misconceptions by underscoring that suicides are preventable.

Many different stakeholders have a keen interest in suicide research and prevention, including academics, health and mental health practitioners, and policy planners. Public human services agencies and CPS must have a presence as well. 

Daniel Pollack is professor at Yeshiva University’s School of Social Work in New York City. He can be reached at dpollack@yu.edu; (212) 960-0836.

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scale, here are five keys to success that are lessons learned from government organizations’ pioneering efforts.

1. Establish an organizational strategy. For a major digital transformation strategy to work, all functions must be involved—not an individual business unit or office. Clear objectives, documented goals, and accountability are required. Choose a use case with the highest potential return on investment. Then agency leaders should actively support the project and promote it to departmental and administrative officials.

2. Communicate a plan to the workforce. While some employees remain fearful of automation, we’ve found government organizations aren’t planning layoffs as a result of adopting AI, but are leveraging these capabilities to reduce backlogs and enable employees to address more value-added tasks. Regardless, agencies must address employees’ fear upfront and clearly communicate how workers will be affected. Involving staff in brainstorming and identifying use cases is a good idea. At some organizations, we’ve noticed

improved morale when workers realize these tools can take mundane tasks off their desks.

3. Address governance and policy changes. Introducing new technology can create risks. For instance, does the new technology have the required authority to operate? What credentials would a bot need to access IT systems? Does the agency’s and state’s website permit the use of bots? Some do not. The chief information officer (CIO) and chief information security officer should advise on these critical questions of policy.

4. Evaluate business processes and data. Agencies generate mountains of data, but unfortunately much of it is not well formatted, structured, or machine readable. This can be an obstacle in adopting AI and automation, but it is also an opportunity to address data-quality problems, including inefficient processes. Documenting a process prior to automation can point to the need for it to be redesigned or even eliminated as there’s no sense in automating an inefficient process.

5. Support CIO innovators. Interest in AI and automation is largely coming from understaffed program offices and functional teams—groups that may view the CIO and IT as obstacles or tech gatekeepers. However, our experience is that most IT leaders are looking to integrate technology to help the organization function better. Back-, middle-, and front-office groups should look to partner with IT to help them through each stage of the automation journey.

Deploying AI and automation at scale requires planning, good communication, and thoughtful evaluation of existing policies and systems. And while risk is inherent in any major transformation, the potential return on investment—in improved customer satisfaction, efficiency, and cost savings—far outweighs the risk. It’s time to empower the workforce with the modern tools necessary to provide customers with the future of human services. 

Kirke Everson is a Principal and Government Intelligent Automation Leader at KPMG LLP.