

NOTES FROM THE FIELD

THE CHILDREN'S RIGHTS NEWSLETTER

SPRING
2014



Defending America's
Abused and Neglected Kids

INSIDE:



CR launches *Fostering the Future 2014*

"Imagine a childhood like mine ... I was screamed at, beaten with a belt."



New memoir: Rosie Perez describes growing up as ward of the state

"I'm now ready to share my journey."

IN FOCUS:

For Overwhelmed Caseworkers, Protecting Kids Can Be a Struggle

When Steffanie's foster father demanded a kiss, she pushed him away, she said. But as a 15-year-old living in his home, she said she couldn't fend him off for long, and a week later he began to rape her daily.

She said she complained to her caseworker about the home in the past, and afterward her foster mother "berated her," forced her to clean the bathroom with pure bleach, and told her she wasn't allowed to talk to the caseworker alone.

"He always said, 'Hey, how are you?' I would say, 'Fine,' and he would never go deeper, or say, 'Let me investigate more. How is school? How is home?'" Steffanie said of her caseworker. "He would visit and I would think, please just say, 'Come talk with me. Just make me talk to you.' If somebody would have asked me, and told me that they cared about my well-being, I would have spoken up."

Steffanie said her caseworker never picked up on how depressed she was. "Maybe he wasn't trained well," she told Children's Rights. "If he would have noticed that I was completely shut down, I would have never been abused in so many ways."

Steffanie, of California, is one of the nearly 640,000 young people who depend on caseworkers to keep them safe in U.S. foster care each year. The workers, in turn, rely on government agencies for the support necessary to protect kids, but their needs are not always prioritized. They often start with little training, then struggle with unmanageable caseloads and long hours on small salaries.



Photo courtesy of Laurence Borten

Edgar said one caseworker took weeks to respond.

"It is unconscionable that some foster care systems fail to give workers the training and resources they need, and then burden them with the tremendous responsibility of ensuring scores of kids are safe. It makes an already-stressful job nearly impossible to do well," said Marcia Robinson Lowry, executive director of Children's Rights. "Caseworkers deserve the resources to help the children who need them."



ON THE FRONTLINES

FROM CR'S EXECUTIVE DIRECTOR

Children's Rights uses the courts as a powerful tool to compel damaging child welfare systems to do a better job of protecting abused and neglected kids. And thanks to our skilled lawyers, we win the vast majority of our cases. But regardless of the outcome, bringing a lawsuit creates strong documentation of the system's failings and provides a focus for public attention on the need for reform.

We are seeing that advocacy play out with amazing vigor in Massachusetts. A federal judge dismissed our case on legal grounds — despite finding that the state's Department of Children and Families (DCF) had a multitude of proven deficiencies, and concluding that the Commonwealth had one of the worst child welfare records in the U.S. We believe the judge erred, and are in the midst of appealing. But we're also making our case in the court of public opinion, fueling the necessary pressure for reform.

As has been the case all too many times, a tragic occurrence has aroused the public's interest in the state child welfare system. Jeremiah Oliver, a 5-year-old boy who had been under the supervision of Massachusetts' child welfare system, but who had not received required in-home visits for many months, has disappeared and is presumed dead.

"It's an isolated case!" cried officials. In reality, not just Jeremiah Oliver was left unprotected; almost 20 percent of children who required monthly home visits had not been receiving them. Thanks to CR's careful documentation, we have provided extensive data for news reports that show high caseloads and slipshod monitoring to be common throughout DCF.

The facts have been bolstered by compelling anecdotes describing just how hard it can be to get the job done. One former caseworker lasted with DCF only briefly until the lack of training drove her to leave. Spurred by the Jeremiah Oliver story, she broke her silence in the Boston Globe, saying, "I had to get out of there. The environment was so negative and disheartening."

The lack of support for child protection workers is a serious issue not just in Massachusetts, but across the country. As you'll see in *For Overwhelmed Caseworkers, Protecting Kids Can Be a Struggle*, many are overloaded, underpaid, lack proper training and work exceedingly long hours.

Unless they get the support they need to do their jobs well, the impact on kids is real and devastating. In this issue we preview *Fostering the Future*, our blog-a-day public awareness campaign that runs through May. One of our writers is Yaya, a young woman whose worker threatened her with institutionalization when she spoke out about mistreatment at a foster home. "It takes a good family and social worker to successfully transition a child from foster care to adulthood," she notes.

CR is fighting for both as we prepare for a December 1st trial in Texas. The state has a shockingly high caseworker turnover rate of 34 percent, and, similar to Massachusetts, approximately 20 percent of required monthly in-home caseworker visits do not occur. Even worse, Texas gives a maximum of 18 months to successfully reunify children with birth families or find them adoptive homes before they enter long-term — or "permanent" — foster care. The state has 12,000 such children, and far too many age out of care without families to call their own.

Clearly something has to change. So while we fully expect to win in Texas, one thing is certain: advocacy takes many forms, and the painstaking preparation for each of our cases has a value beyond the courtroom. We'd have it no other way. Ensuring the well-being and safety of foster youth in America is our mission, and our promise.

Marcia Robinson Lowry
Executive Director

CR INSIDER

Children's Rights Board member Joe Belluck — a founding partner in the law firm Belluck & Fox — describes his dedication to reforming child welfare, and what inspires him to be a part of CR.

CR: What made you get involved with Children's Rights?

Joe: I was motivated by the plight of kids in foster care. My sense was that this was one way to try to improve their quality of life, their safety and their well-being. I had also come to learn that people I knew had been in the foster care system. I'm a big believer that every kid deserves a safe upbringing, education, support and love. It seemed to me that joining CR was an opportunity to help protect kids and keep them free from abuse.

CR: What is your biggest takeaway, having served on the CR Board since 2011?

Joe: I've been very shocked at the level of mistreatment and abuse that kids in foster care experience. I've also been very surprised at the forms some of that

abuse takes, in particular the overmedication of a lot of these kids. I had no previous concept of that.

Why is it important to use the law to spur reform?

Joe: If you believe in social change you have to operate on two levels. There are people who are foster parents, making a difference because they're good parents on an individual level. But you need a systemic effort, too. CR is providing that kind of pressure so that these systems improve and don't continue to spiral downward.

Why should people support CR?

Joe: It's an absolute necessity to hold government agencies accountable. And particularly in this situation, when you're dealing with kids, it's a moral impera-



tive that the foster care system is held accountable. Anybody who is in a position to support CR should get involved. There are many kids in our country who have literally no family and no support. People should do what they can to change that.

Rosie Perez Recounts Tumultuous Childhood



Photo courtesy of Eric Johnson

When Oscar-nominated actress Rosie Perez spoke at CR's benefit last fall, she blew us away with details of her childhood spent as a ward of the State of New York.

Now Rosie, a Children's Right's Champion Award-winner, is sharing those experiences in her memoir, "Handbook for an

Unpredictable Life: How I Survived Sister Renata and My Crazy Mother, and Still Came Out Smiling (with Great Hair)."

In the book Rosie recounts how, at just 3 years old, her mentally-ill mother took her from her loving aunt and put her in a Catholic home 50 miles away. There she got a solid education and was recognized for her smarts and talent, but was hit and deprived of food as punishment and often felt scared and confused. "No one kissed us good-night. No one told us they loved us." She was later shuffled between group homes and her mother's abusive home — finding her only refuge in short breaks with her aunt and father. After about a decade of instability, Rosie was finally allowed to move back in with her aunt permanently.

But her childhood left marks — she struggled with clinical depression and PTSD — and for years she kept her experiences close to her chest. Rosie said she is "now ready to share my journey, communicate how good it feels to no longer live in fear of what others may think, and move on."

Children's Rights encourages everyone to read Rosie's story, and discover what life can be like for kids in state care.

CR Highlights Stories of Life in Foster Care

When Children's Rights launched *Fostering the Future* last May to highlight National Foster Care Month, we hoped the voices of those impacted by child welfare would resonate with readers. As it turned out, the response to the public awareness campaign exceeded our expectations.

"The stories I have read so far brought me to tears," one woman wrote to CR.

"The young men and women are amazing," another wrote. "What an eye opener for those of us not involved in the system."

Heartening feedback like this has compelled CR to make the campaign an annual endeavor. *Fostering the Future 2014* will go live on May 1st and new first-person accounts will follow each day of the month. The blogs can be found at www.fosteringthefuture.com, and through Children's Rights' Facebook and Twitter pages.

This year's writers, who hail from across the United States, provide glimpses into life in care, and the systemic problems that Children's Rights strives to make better through our comprehensive reform work. They call for states to make concrete fixes like recruiting more loving foster families, providing mentors for youth, giving social workers more time for each case, and better preparing kids to age out and be on their own.

Kaylyn described being shunted between multiple foster homes: "I was 16 when I was placed in foster care, and I went through four different placements in as many months. I felt like my life was in complete chaos. Not knowing what might happen to me was terrifying."



Vannak



Kaylyn

Sixto detailed a young life filled with abuse and neglect: "Imagine a childhood like mine. One in which you cannot touch the refrigerator; you sleep in a filthy room and are treated like a servant in a home where the family wants you only for the money you bring in. I was screamed at, beaten with a belt, and with fists. I have been choked, slapped and starved."

Shandreka wrote about trying to make it on her own after being involved in the system: "I was like a newborn baby again, but this time I was responsible for my well-being — nobody was there to help me or check in on me ... I lived from couch to couch."

Others describe being prescribed powerful psychotropic medications,



Shandreka

split from brothers and sisters and made to live in institutions. But bloggers also write about the silver linings of foster care — and the people who have helped them along the way.

"My foster mother, Connie, took the time to teach my foster brothers and me valuable things like cooking, writing and how to find employment," Vannak wrote. "I have to admit, she taught me how to be a man. Without the stability of that home I don't know where I would be today."

We hope that you will take the time to read these highly personal accounts, share them with friends and family, and help us raise awareness about what life can be like for the 640,000 kids who spend time in state care each year.

IN THE COURTROOM



“Permanent” foster care. Sounds pretty dismal, right? Especially when the goal is to give abused and neglected children the happy, productive lives they deserve.

The state of **Texas** has a long record of failing to protect the children in the custody of its Department of Family and Protective Services (DFPS), subscribing to practices which virtually ensure that more than a thousand young people age out of foster care every year with no hope of a family in sight.

The current DFPS structure gives caseworkers a maximum of 18 months to safely reunify kids with their birth families or find them adoptive homes. After that they enter long-term foster care, a status known as “permanent managing conservatorship” (PMC).

Although Texas is legally mandated to continue to seek permanent placements for children in PMC, the attention paid to their cases diminishes significantly. As a result, many of the approximately 12,000 kids in this system of long-term foster care have little hope for forever families and instead are shuffled between a variety of foster and institutional placements that are poorly supervised by the state. The results of this failure are devastating:

- Children are subjected to frequent moves between many different foster placements. Kids who aged out of foster care in 2013 had experienced an average of almost seven placements.

- Youth are inappropriately placed in restrictive institutional settings and group homes, instead of with families. Studies have shown that institutional care is particularly damaging to young children, causing a variety of harms, including delayed language, poor mental development and decreased adaptive skills.

- Children in long-term foster care are often denied access to necessary mental health services. According to recent federal reviews, Texas failed to address the mental health needs of nearly one in three of the children whose cases were reviewed.

- Far too many young people age out of the system without being adopted — in 2012 this included about 39 percent of children who entered care before age 12, and 61 percent of children who went into care after age 12.

No doubt these issues are compounded because of workloads and the shockingly high rates for annual caseworker turnover. When approximately 34 percent of the workforce changes every year, kids often lose the continuity that helps keep them stable.

While this clearly is unacceptable, Texas has attempted to defeat our claim. But in 2013, a federal court judge ruled that Children’s Rights’ lawsuit could proceed as a class action on behalf of all children in PMC.

In a 107-page decision, the judge found that *“There is ample evidence... that caseworkers are overburdened, that this might pose risks to the children... and that [the State agency] and other State officials had actual or constructive knowledge of these risks.”* The case is scheduled for a full trial starting in December 2014.

REFORM WATCH

Most of our lawsuits end with settlement agreements and a mandate for massive reform. Children’s Rights, along with independent monitors, ensures the reform goals won on behalf of children and families are met.

Atlanta minimized multiple moves for 95 percent of children in foster care, and caseworkers made well over 95 percent of required monthly visits to children.

Connecticut further reduced its already-decreasing number of all children placed in residential institutions by more than 53 percent, and the number of children age 12 and under in institutions by more than 50 percent.

Washington D.C. made sure that no children were placed in emergency, short-term or shelter facilities for more than 30 days, and that no kids younger than 12 were placed in group settings for more than 30 days, unless their needs could not be met in family-like settings. And the District finalized an agreement with Maryland — where over half of its foster children reside — to streamline the process of safely placing kids in homes in the state.

Michigan hired 440 new caseworkers, nearly all of whom hold a bachelor’s degree in social work or a related field, and ensured all new workers scheduled for training completed it within four months of being hired.

IN FOCUS: For Overwhelmed Caseworkers, Protecting Kids Can Be a Struggle

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The effects of all this pressure can be devastating. It can lead to high turnover rates — meaning kids get bounced between workers too frequently. And often when workers are spread too thin, they fail to link kids with permanent families, children are not visited, they are put in inappropriate homes and the risk of abuse and neglect increases.

“My first foster family seemed to be sent from heaven, until my social worker visits became less frequent,” said Shandreka, who grew up in care in New York. “The family abused me mentally and physically and neglected even my basic needs — like ensuring I bathed properly.”

THE KIDS

Young people can tell the difference between an overworked, poorly trained caseworker, and someone who is adequately supported by a child welfare system.

“I think everyone goes into it caring,” said Edgar, who spent time in foster care in Georgia. He said he had one caseworker who would take two weeks to get back to him when he wanted to set up medical appointments and would speak on the phone with other people when she was with him. “I can only imagine having to deal with 40 kids. I don’t think it was the caseworker’s fault.”

Ollie, who spent time in Nevada foster care, credits her “soccer team” of caseworkers for helping her graduate high school. Her team included her state caseworker and others who focused on improving her social skills and preparing her for life after foster care. “They saw my promise and worked hard to make sure that I took advantage of every opportunity that was available to me,” Ollie said. They ensured she stayed in the same school for three years, despite moving between homes, and when she was falling behind, held weekly meetings with her teachers. When Ollie graduated, most of them attended.

Steffanie, the young woman who suffered horrendous abuse at the hands of her former foster father, was eventually moved to a new home and got a new caseworker who, she said, “cared about everything.” The worker made sure Steffanie talked to her about what was going on in her life, attended her track meets, got excited when she earned good grades, and pushed her to go to college. She also encouraged Steffanie to move in with a family that now feels like home. “I guess they call them forever families, but they are just my family, period,” Steffanie told CR.

Now she is in college, studying to be a caseworker herself. “I totally understand where these kids are coming from. I want to do whatever I can to inspire them and make them happy,” she said.

THE IMPACT

“It’s a very heavy field,” an Illinois caseworker, who works with kids with extreme medical, developmental, behavioral or mental health issues, said in an interview with CR. “Most people don’t deal, every day, with children who have experienced sexual and physical abuse.”

A Colorado caseworker told CR, “You are managing a million things on a whole bunch of cases ... It is just really easy with a lot of factors to get overloaded. And not getting a lot of support can get overwhelming.” She said some workers “are doing visits at eight at night, because they have so many cases. Where is the time to recoup and regenerate?”

THE FIGHT

Children's Rights wants Steffanie — and other current and future caseworkers — to succeed.

But as the caseworker in Colorado told CR: "It is not any easy job. If you want us to do the work, you have to give us the tools."

Through comprehensive reform campaigns, CR is pushing states to provide caseworkers with an essential foundation of robust training programs, manageable caseloads, well-functioning computer systems and resources to help kids and families.

The organization's advocacy has already lowered caseloads in states like Connecticut and Wisconsin, and ensured that almost all children in metropolitan Atlanta have monthly visits with their caseworkers. Michigan has created a training program in partnership with the state's schools of social work. And in New Jersey, officials have implemented a computer system that gives workers the ability to better track cases.

Children's Rights is now fighting to compel Massachusetts and Texas to make similar — and much needed — reforms. According to a CR report, Massachusetts caseworkers are failing to make more than a quarter of visits to children that are required under federal law and the state's own policies.

The situation in Texas is just as bleak. Only about 81 percent of required monthly in-home caseworker visits occur. The state has a tremendous rate of caseworker turnover — averaging 34 percent per year, and caseloads are above national professional standards and the state's own benchmarks. Despite these conditions, caseworkers have just 18 months to reunify kids with their birth families or find them adoptive homes before kids enter long-term foster care with little hope for stable families.

"Caseworkers are, in effect, these children's fire alarms," Senior U.S. District Judge Janis Graham Jack wrote in her ruling



Steffanie was abused in foster care, but eventually found a loving family, thanks to the help of her caseworker. She is pictured above with her mom, Ellen.

stating that CR's legal campaign on behalf of 12,000 children in long-term foster care in Texas could proceed as a class action. "They are the first and best mechanism to ensure... that the child is not suffering any harm or abuses. A caseworker who is so overburdened that she cannot visit the children she is responsible for to keep apprised of their well-being, or if she cannot build enough of a rapport to do so effectively, cannot fulfill this function."

Child welfare systems must operate with this principle as part of their foundations.

THE RESULTS:

CR Advocacy Leads to Caseworker Supports

- A decade ago, caseworkers in metropolitan **Atlanta** regularly went six months or more without visiting some children. By 2013, workers were able to visit foster children twice per month in 98 percent of cases.
- Caseloads in **Milwaukee** plummeted from an average of 100 children per worker in 1993 to just 15.7 in 2011.
- In 1999, **New Jersey** failed to adequately train new caseworkers before assigning them to complex cases, and training manuals were not readily available. The state has since created a child welfare training academy to ensure staff are taught the skills needed to protect children.



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DID YOU KNOW?

In a survey of child welfare professionals across five states, more than 50 percent reported feeling “trapped and hopeless about their work with clients.”

There are no federal statutes or regulations limiting the number of kids on a worker's caseload.

Child, family and school social workers earn about \$45,000 per year, and many caseworkers make markedly less, despite their crucial role in protecting children.

To support Children's Rights, visit
www.childrensrights.org
and click “Donate Now.”