CREATING A CHILD-FRIENDLY CHILD WELFARE SYSTEM

Thanks

Truly an Honor:

- As Law person: On outside
- Social Work Schools produce the Ground Workers, Highest Policy Makers, Researchers who shld guide Policy – YOU are those who will make Child Welfare Policy of Future

Topic:

- Creating a Child-Friendly Child Welfare System: My position over 3 decades
  - We say we are child-friendly, that BIC guiding principle
  - But actually regularly value Adult Rights over Child

- More specifically: Role of Research:
  - Striking Amount of Research in this field
  - Striking its power to influence Policy

Research has guided me over these 3 decades

- TRA Debate: Identity Confusion??
  - Research on importance of Early Perm Nurturing VS
  - Same or Other Race Parent

- Early Intensive HV: Olds research on Success & Cost Effectiveness

My Concern about Research: Regularly Misused

- Good Research Ignored
- Bad Research Promulgated & Used to Influence Policy

GOOD RESEARCH IGNORED: IA example

Policy Makers:

- Fast eliminating IA based on claims re BIC: Heritage rights etc
- Kids older when placed

Research:

- Institutions don’t work
- Foster care doesn’t work
- Adoption works really well, including IA
• Works best if placed early
• IA is only real adoption option

BAD RESEARCH PROMULGATED & USED TO INFLUENCE POLICY

“Bad Research”

• Research that doesn’t evaluate BIC; claims BIC counts but ignores it
• Research that simply serves predetermined Family Preservation Policy Agenda  
  o Designed to Vindicate that Agenda  
  o Rather than genuinely Evaluate it
• Research that asks Narrow Qs, Wrong Qs
• Research that gives Misleading, even Dishonest Answers

BAD RESEARCH EXAMPLES

IFPS the most famous example: Narrow Questions & Misleading Answers

• Narrow Question: Does this Fam Pres program succeed in Fam Pres? As vs BIC
• Misleading Answers: Yes when really No persuasive evidence
• But Narrow Q the bigger problem
• Amy Heneghan 1996 thorough review of the IFPS research provided a devastating critique noting:
  o Methodological failures
  o Absence of proof of success in reducing removal
  o Failure to focus on child wellbeing including eg if child kept at home:
    ▪ Has CAN reoccurred?
    ▪ Other measures of wellbeing?
  o Failure to compare to IFPS Alternatives: Adoption & Foster Care
  o Concluding: IFPS may be “placing children at risk”

RACIAL DISPROPORTIONALITY MOVEMENT – Perhaps most significant recent example

• Huge recent Mvmt promoted by “Casey Alliance” & most of Child Welfare Establishment
• Goal: Reduce Removal of Black Kids to Population %
• Based on Claim: Removal constitutes Race Discrim vs Parents bc CAN rates the same
• Disc Claim based primarily on One Research Report: NIS-3 (plus predecessor NIS-2)
• NIS-3 did indeed make this claim: CAN rates the Same, therefore Disc by System likely
• BUT the claim WAS NOT TRUE; NIS-3 authors had no evidence rates the same
• Enterprising Social Scientist Brett Drake dug out the facts hidden in enormous Appendix by time of our RD Conference:
Dr. Brett Drake, Professor at Brown School of Social Work at Washington University in St. Louis.

Presentation at Conference:
Race & Child Welfare: Disproportionality, Disparity, Discrimination:
Re-Assessing the Facts, Re-Thinking the Policy Options

coopsponsored by
Harvard Law School Child Advocacy Program and
Chapin Hall at the University of Chicago

Cambridge, MA., January 28-29, 2011
What Were the NIS-3 Findings (as reported) Regarding Racial Disproportionality?

“**Race:** The NIS-3 found no race differences in maltreatment incidence. The NIS-3 reiterates the findings of the earlier national incidence studies in this regard. That is, the NIS-1 and the NIS-2 also found no significant race differences in the incidence of maltreatment or maltreatment related injuries. Service providers may find these results somewhat surprising in view of the disproportionate representation of children of color in the child welfare population... The NIS findings suggest that the different races receive differential attention somewhere during the process of referral, investigation, and service allocation, and that the differential representation of minorities in the child welfare population does not derive from inherent differences in the rates at which they are abused or neglected” (NIS-3 Final Report, Page 8-7).
English Translation:

• The NIS-1 through NIS-3 were reported as showing that **African-Americans are actually maltreated** at the same rate as Whites.

• NCANDS (National Official Report Figures) shows that **African-Americans have more validated CPS reports** than Whites. (about a 2:1 rate)

• Therefore, if Blacks and Whites are abused at the same rate (NIS), but Blacks are reported and validated twice as often (NCANDS), then it stands to reason that the system is biased and needs to be fixed.
“the NIS-4 found statistically significant differences between Black and White rates of child maltreatment, contrary to the findings of the first three NIS cycles”

(Sedlak, McPherson & Das, 2010)
But did their best estimate of actual disproportionality change? Not really.

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How do the NIS disproportionality rates compare to the known disproportionalities in reports?
NET
  o Deliberate Dishonesty?
  o At minimum: Sophisticated social scientists put out grossly misleading NIS-3, which sophisticated policy-makers used to promote policy based on claim of Same Malt Rates
  o While ignoring lots of other evidence that Black Malt Rates likely Higher than White

EARLY PREVENTION & PROTECTION: POLICIES & RESEARCH

Net for me of our RD Conference: Recognize too much CAN and try to address Early:

  ■ Supportive Prevention
  ■ Coercive Intervention

Net of our P&P Workshop:

  ■ Many exciting Initiatives
  ■ Fam Pres Ideology dominates both Policy & Research

Positive:

  ■ Exciting Initiatives:
    o Public Health Approach: Early Universal Support for Parents
      ▪ Deb Daro Theoretical
      ▪ Durham Connects in Durham Co, NC as example – universal at cost of $500 per family bc targeted services
    o Family Drug Courts that reach Substance-Exposed Infants (SEI)
  ■ Exciting Research: Emily Putnam-Hornstein & Barbara Needell of USC & UC Berkeley:
Based on a study of the entire 2002 California birth cohort, Emily Putnam-Hornstein and Barbara Needell found that, looking at risk factors available in infant birth records, they could predict with great accuracy which children will be reported for maltreatment before their fifth birthday. Looking at children with three risk factors they found they could identify 50% of the children reported for maltreatment before the age of five. They were able to predict that a child characterized by seven risk factors has an 89% likelihood of being reported for maltreatment before the age of five.

Emily Putnam-Hornstein found that of the California 2006 birth cohort, some 5.3% were referred for maltreatment before their first birthday. Out of these, 82% remained in the home, and among those kept at home, 56% were referred again before the age of five.

Out of those remaining home following substantiation of the initial maltreatment allegation, 58% of those who received no formal services were re-referred, and 65% of those receiving such services were re-referred, by the age of five.

Emily Putnam-Hornstein, PhD, Asst. Prof. at the Univ. of Southern California’s School of Social Work, 2012.
- Predictive Capacity
- Failure of Current Protective

Negative: How Family Pres Ideology limits Reform Potential; how little people ready to use Putnam-Hornstein Data

- Early HV: Only reaches roughly 2/3; no real research on risky 1/3; no thought re Mandatory
- SEI programs: Emphasize keeping Infants at home; Research focus – success in Fam Pres just like the IFPS

CLOSE WITH HENRY KEMPE:

Famous for 1962 Battered Child Syndrome, helped propel child protection forward: nation-wide reporting system

Another groundbreaking article ignored, his 1976 *Approaches to Preventing Child Abuse*:
We must now insist that each child is entitled to effective comprehensive health care, and that when parents are not motivated to seek it, society, on behalf of the child, must compel it. It seems incomprehensible that we have compulsory education, with truancy laws to enforce attendance and, I might add, imprisonment of parents who deny their child an education, and yet we do not establish similar safeguards for the child’s very survival between birth and age 6. . .

We must [work with problem families] first by persuasion and education and trying to be as helpful as we can, but if that fails, we must initiate active intervention through child protection services. . .

When marriages fail, we have an institution called divorce, but between parent and child, divorce is not yet socially sanctioned. I suggest that voluntary relinquishment should be put forth as a desirable social act – to be encouraged for many of these families.

When that fails, legal termination of parental rights should be attempted. However, such termination is a difficult thing to achieve in our country. . . But each child is on a schedule of his own emotional development. . . He needs loving parents right now, and the same parents, not a series of ten foster homes. For 20 years, courts have lectured me on the rights of parents, but only two judges in my state have spoken effectively on the rights of children. . .

The really first-rate attention paid to the health of all children in less free societies makes you wonder whether one of our cherished democratic freedoms is the right to maim our own children. When I brought this question to the attention of one of our judges, he said, “That may be the price we have to pay.” Who pays the price? Nobody has asked the child. . .

Let us now resolve to fight for [our children’s] total civil rights. Let us not, I beg of you, settle for anything less.