A new tactic to halt child abuse in Maryland

Focus now on helping low-risk families instead of punishing
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The Baltimore Sun, July 5, 2014

Baltimore is changing the way it handles cases of alleged child abuse and neglect — part of a broad social-services strategy that has been touted by Maryland officials but abandoned in some other states.

The new approach, which is designed to lessen the adversarial relationship between families and caseworkers, puts cases on different tracks depending on whether they are deemed high or low risk. The tiered response, used in 23 states, is regarded as a best practice by many child advocates.

But some critics say questions remain about whether the two-track approach does enough to keep children safe. Other states, including Illinois, have backed away from it, for reasons ranging including financing and political opposition.

Joan Little, chief attorney for the Maryland Legal Aid Bureau child advocacy unit in Baltimore, said the success of the so-called Alternative Response track will depend on whether families can access services, such as mental health care and substance abuse treatment, to overcome their barriers. "As long as the state makes the commitment to put resources up front, it's a very workable program," Little said. "The challenge is, what is the level of need of these families and how far do we have to go to reach out to them, and can we do it in a voluntary system?"

Maryland began splitting cases into the two tracks a year ago; so far, an average of 44 percent of cases have been assigned to the Alternative Response track.

Baltimore, which averages 442 new cases a month, or about 20 percent of the state's maltreatment reports, is the last locality to adopt the practice.

Under the program, cases deemed to be the most serious, including those with alleged sexual or physical abuse, will remain on the Investigative Response track, which involves formal findings and referrals to prosecutors for criminal action when necessary.

Offering support

The state Department of Human Resources — which says the new approach will not increase costs — began to shift lower-risk cases in Baltimore to the Alternative Response track last week. Under that approach, caseworkers will work with families to assess their needs and develop plans to overcome challenges, which could include accessing child care, treating addiction or providing sufficient food.

The cases on the low-risk pathway won't be subject to an investigation initially. But if a situation is determined later to be more serious, the case can be switched to the investigative track.
Theodore Dallas, secretary of human resources, said the Alternative Response track allows the state to react better to each family's challenges. That, in turn, will help families get help more quickly and prevent low-risk cases from becoming graver, he said. "You're more likely to engage with [family members], and they're more likely to be open and more likely to get the services they need," Dallas said. "Sometimes, in Investigative Response, they might be more standoffish and less likely to be cooperative."

Another benefit of the Alternative Response track, Dallas said, is that it avoids attaching the stigma of a formal maltreatment report to a parent who may be well-intentioned but overwhelmed or struggling to live in poverty. Such reports can block people from holding jobs in certain fields.

While many states have adopted the tiered approach, some have since abandoned it amid questions about the impact on child safety, said Richard P. Barth, dean of the University of Maryland School of Social Work.

States have implemented such programs in different ways, and those discrepancies make it difficult to measure outcomes, he said. Some states, such as Wyoming and West Virginia, have three tracks.

Barth said analyses show that parents tend to be satisfied with the approach, and "it's reasonable to assume that it's not leaving children more unprotected, but we don't know."

Illinois dropped its Differential Response approach in 2012 after funding from a five-year federal government grant ended, according to a spokeswoman for the state's Department of Children and Family Services. The decision was made primarily based on money — the agency's budget was slashed by $60 million that year — but also because the approach didn't show that children diverted to the Differential Response tracks were any safer than under traditional case management, according to the spokeswoman.

**Dissenting view**

Elizabeth Bartholet, a professor at Harvard Law School, said an emerging body of research shows that claims about the success of alternative approaches might not be what they seem.

Some research is promoted by groups pushing a premise that children are almost always better off staying in their home, she said. She's worried that will lead to federal policy changes and further drain resources from traditional child protective services in favor of in-home treatment programs, leaving the most vulnerable children in dangerous situations.

Bartholet, faculty director of Harvard's Child Advocacy Program, finds it "appalling" that a state would chose to implement a tiered system in light of all of the questions being raised. Asked about Maryland's decision to adopt an Alternative Response track, she said, "I think it is a very dangerous move."
Bartholet is preparing to publish a scholarly report on alternative response programs. She's found that the rates at which families re-enter the child welfare system are highest among families diverted to the low-risk track — and that puts children at a greater risk for continued abuse.

Across the country, Bartholet said, studies have shown that only half of the families on alternative response tracks complete the program, and different states have varying levels of voluntary participation. "The ones who walk away are the ones who are the most dangerous," she said.

In Maryland, families are asked to collaborate with caseworkers, but if their participation wanes and children are found to be at risk, the state says it will switch the family to the investigative track.

Maryland officials pointed to a 2012 study by Casey Family Programs, an affiliate of the Baltimore-based Annie E. Casey Foundation, that found a sampling of places using an alternative approach showed a reduction of re-referral rates or no difference. Some states, including Minnesota, Missouri and New York, showed lower rates of re-referral from families on the alternative track.

Linda Spears, vice president of policy and public affairs for the Child Welfare League of America, said states have had many reasons for dropping such alternative tracks. In some cases, there has been political fallout from situations where children have died or been seriously abused, although she did not provide specific examples. Economics can also be a factor; using a tiered model can be more expensive because of the case management involved, she said. "It's very hard to draw meaning about the states' decisions that says anything about the model," Spears said. The difference in the workloads, pay and educational levels of caseworkers makes comparisons in the success of the program also difficult, she said.

In Maryland, reasonably sized caseloads and well-educated child welfare professionals make the state well-positioned for success in the approach, Spears said, adding that she expects to see more states adopt the approach.

Despite concerns, Barth said Alternative Response should help improve the system in Maryland. He said the system now wastes a lot of time and good will by taking low-risk cases to court when it would be better to provide services to the families.

But the strategy alone isn't enough, he said. "Not much is going to improve unless we really rally ourselves to figure out what these families need and then provide it."

The sad truth is, he said, is that children die from abuse and neglect at the hands of their parents whether child protective services intervenes or not.

**A flexible approach**

Cindy Walcott, deputy commissioner for the Vermont Department for Children and Families, said that state has used the tiered approach since July 2009, and the agency continues to back it.
"This is not 'child protection lite,'" Walcott said. "We are just as focused on child safety and just as likely to remove the child from the home if the situation merits it."

The greatest asset of the approach is the flexibility it gives officials to tailor a response that's appropriate to the family and the nature and severity of the situation in question, she said. Walcott stressed that the alternative approach is not used for allegations involving physical or sexual abuse, which also is the case in Maryland.

The new approach is the latest effort in Maryland to work toward a more modern child welfare system that emphasizes family reunifications, guardianships and adoption over foster care placements.

Since 2007 when the state adopted the Place Matters strategy — which places emphasis on keeping families intact — more than 17,400 children have found permanent homes. Fewer children are in Maryland foster care than at any time in the past 27 years. "One size doesn't fit all," Dallas said. "Usually government tries to treat everyone the same out of fairness, but every child is different and every family is a little different."

Some states that have found that implementing the tiered approach costs more money. Dallas said switching to the two-tier system in Maryland won't come at an additional cost, but will require a continual reordering of resources. He said Maryland has made changes within the Place Matters strategy.

Dallas also noted that decisions about classifying cases aren't made by one person. "The whole system is set up with lots of checks and balances," he said.

Carnitra White, acting deputy secretary of human resources, said that under the alternative approach, families and caseworkers come together to assess needs. Together, they have 60 days to develop a service plan, which could include therapy sessions, referral to a food pantry, enrolling a child in an after-school program or connecting a family to rental assistance.

Unlike an investigation, the caseworker works with parents to set up times to interview the children, rather than going to their school to talk to the child without the parents' knowledge.

Local child welfare advocates applaud the agency for the new response. Melissa Rock, child welfare director for Advocates for Children and Youth, said the alternative approach will empower families and do more to connect parents and children to services before they reach a crisis point. "It's a positive direction we're going and will lead to more families getting the services that are truly matched with their needs," said Rock, who is a member of the Department of Human Resources' Alternative Response Advisory Council.

She notes that while some states have abandoned the tiered approach, others such as Arizona have dropped it temporarily but are now returning to it.

Rock said advocates will be watching the approach in Maryland closely to make sure the number of families that are subject to repeat allegations of child abuse and neglect doesn't increase.