INTRODUCTION

Truly an Honor:

- Here 9 years ago, before HLS started CAP (1/27/04)
- Impressed then as now with your Leadership
- Started CAP 8 yrs ago in part inspired by you

HLS CAP

- Our Model: 4 courses; Themes
  - Outside the courtroom key
  - The most challenging work: social change always is; children uniquely disempowered
- YOU:
  - Have taken up this challenge
  - You are in position to make Child Welfare Policy of Future

MY TOPIC:

- Helps illustrate the challenge: Dominant “Child Welfare” Position often, in my view, Anti-Child
- Creating a Child-Friendly Child Welfare System: Deliberately provocative
o We say we are child-friendly, that BIC guiding principle
o But actually regularly value Adult Rights over Child

■ More specifically: Role of Research:
  o Striking Amount of Research in this field
  o Striking potential to inform Policy

Research has guided me over these 3 decades: Examples:

■ TRA Debate: Identity Confusion?? Looked at & saw:
  o Importance of Early Perm Nurturing
  o No BIC relevance whether Same or Other Race Parent
■ Early Intensive HV: David Olds research on Success & Cost Effectiveness
  (of his Nurse Practitioner model)

My Research Topic today: Research MISUSE Problems

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

GOOD RESEARCH IGNORED: IA example

Policy Makers:

■ Fast eliminating IA based significantly on claims re BIC: Heritage rights,
  alleged BIC benefits of In-Country Adoption, Foster Care
■ See UNICEF position & other Child Human Rights orgs
■ CHART: See Appendix A-1: in US 2013 will be 1/3 of 2004
■ Also those kids placed older – 2-3 yrs plus

Research:

■ Institutions – the reality for IA kids -- don’t work
■ Foster care doesn’t exist, won’t soon, and doesn’t work
■ Adoption works really well, including IA
■ Works best if placed early
■ IA is only real adoption option:
domestic ltd now & future most countries;
so many kids that need all options

IA Policy: Ignores the Research bc no concern with BIC: Russia at least
Refreshing Honesty – Shutdown of IA has nothing to do with BIC, pure Power
Politics with Kids as Pawns

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
  - Designed to Vindicate that Agenda
  - Rather than genuinely Evaluate it
- Research that asks Narrow Qs, Wrong Qs, EG:
  - How does this further Fam Pres?
  - As vs How does this serve BIC? Does more FP actually
    serve/disserve BIC?
- Research that gives Misleading, even Dishonest Answers

BAD RESEARCH EXAMPLES

IFPS the most famous example: Narrow Questions & Misleading Answers

IFPS the Darling of the Ch Welfare Establishmt in 70s-90s; esp promoted by Edna
McConnell Clark Fnd; discussed in NC (99); 6 weeks intensive FP

- 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; Define Kids “at risk of placement”
  when placement may be needed to protect
Amy Heneghan 1996 thorough review of the IFPS research provided a devastating critique; one among many to finally note what now recognized as Research Scandal; she noted:

- Methodological failures
- Absence of proof of success in reducing removal
- Failure to focus on child wellbeing including eg if child kept at home:
  - Has CAN reoccurred?
  - Other measures of wellbeing?
- Failure to compare to IFPS Alternatives: Adoption & Foster Care
- Concluding: IFPS may be “placing children at risk”
- NET: Many ready now to conclude: IFPS Research a disgrace; But exact same types of problems continue: 2 Examples:

RACIAL DISPROPORTIONALITY MOVEMENT – Perhaps most significant recent example of Egregious Research Misuse, in service of one of latest iterations of Fam Pres Agenda:

- EB work: Article, RD Conference;
  - Article title says much – *The RD Movement: False Facts & Dangerous Directions*
  - Conference co-sponsored by Chapin Hall at UofChi
- Huge recent Mvmt promoted by “Casey Alliance” & most of Child Welfare Establishment (CWLA, ABA Center Children&Law)
- 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:

See Appendix A 2-6

NET

- NIS-3 said the same, no difference, & thus Disc; didn’t say no sig difference, no fn, no Appendix till later; absence of stat sig provides no basis for claiming No Difference and thus Disc
- Deliberate Dishonesty?
- At minimum: Sophisticated social scientists put out grossly misleading NIS-3, which sophisticated policy-makers used endlessly to promote policy based on claim of Same Malt Rates
- While ignoring lots of other evidence that Black Malt Rates likely Higher than White

EARLY PREVENTION & PROTECTION: POLICIES & RESEARCH; Final Research example, Good & Bad Research illustrated

Net for me of RD Debate, my work/article, & our RD Conference: Recognize too much CAN and try to address Early:

- Supportive Prevention
- Coercive Intervention

P&P Workshop held last Spring: NET:

- Many exciting Initiatives BUT ALSO
- Fam Pres Ideology – Parental Autonomy -- dominates both Policy & Research

Positive:

- Exciting Program Initiatives:
Public Health Approach: Early Universal Support for Parents, with more Targeted for most at-risk
- Durham Connects in Durham Co, NC as example – universal Assessment & HV at cost of $500 per family bc extra services only for Targeted
- Family Drug Courts that reach Substance-Exposed Infants (SEI)
  - Sacramento CA program

Exciting Research: Emily Putnam-Hornstein & Barbara Needell of USC & UC Berkeley:
- Predictive Capacity
- Failure of Current Protective
- See Appendix A 7-8

Negative: How Family Pres Ideology limits Reform Potential; how little people ready to use Putnam-Hornstein Data, other good Research
- Early HV: Only reaches roughly 2/3; no real research on risky 1/3; no thought re Mandatory
  - Promising Research: Becky Kilburn of Rand: CA research on how incentivize
- SEI programs: Sacramento Program:
  - Program emphasis: keeping all Infants at home;
  - Research focus – success in Fam Pres just like IFPS;
  - But BIC??

CLOSE WITH HENRY KEMPE:

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

Another groundbreaking article largely ignored, his 1976 Approaches to Preventing Child Abuse: See Appendix A 9

STILL RIGHT ON; I AGREE
CONCLUSION:

- Policy needs move in more child-friendly direction
- Research also: so illuminates issues RELEVANT to BIC for Policy Makers
INTERNATIONAL ADOPTION TREND 1944-2013: United States Immigrant Orphan Statistics


Appendix 1
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.
How do the NIS disproportionality rates compare to the known disproportionalities in reports?

B/W Disproportionality: NIS and Official Reports

- NIS estimates of Actual Maltreatment
- Known rates of National Reporting

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Appendix 6
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.
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.