

Foster Care vs. Family Preservation: The Track Record on Safety and Well-being

At the heart of the criticism of family preservation is one overriding assumption: If you remove a child from the home, the child will be safe. If you leave a child at home the child is at risk. In fact, there is risk in either direction, but **real family preservation programs have a better record for safety than foster care.**

And even when families don't get special help, two huge studies have found that children left in their own homes typically do better than comparably-maltreated children placed in foster care.

To understand why, one must first understand one fundamental fact about foster care: It's not safe. Here's how we know:

- A study of reported abuse in Baltimore, found the rate of "substantiated" cases of sexual abuse in foster care more than four times higher than the rate in the general population.¹

- Using the same methodology, an Indiana study found three times more physical abuse and twice the rate of sexual abuse in foster homes than in the general population. **In group homes there was more than ten times the rate of physical abuse and more than 28 times the rate of sexual abuse as in the general population,** in part because so many children in the homes abused each other.²

Those studies deal only with reported maltreatment. The actual amount of abuse in foster care is likely to be far higher, since agencies have a special incentive not to investigate such reports, since they are, in effect, investigating themselves.

- A study of foster children in Oregon and Washington State found that nearly one third reported being abused by a foster parent or another adult in a foster home.³

- In a study of investigations of alleged abuse in New Jersey foster homes, the researchers found a lack of "anything approaching reasonable professional judgment" and concluded that "no assurances can be given" that *any* New Jersey foster child is safe.⁴

- A lawyer who represents children in Broward County, Florida, says in a sworn affidavit that over a period of just 18 months he was made personally aware of 50 instances of child-on-child sexual abuse involving more than 100 Broward County foster children.⁵

- Another Baltimore study, this one examining case records, found abuse in 28 percent of the foster homes studied - more than one in four.⁶

- A study of cases in Fulton and DeKalb Counties in Georgia found that among children whose case goal was adoption, 34 percent had

experienced abuse, neglect, or other harmful conditions. For those children who had recently entered the system, 15 percent had experienced abuse, neglect or other harmful conditions in just one year.⁷

- Even what is said to be a model foster care program, where caseloads are kept low and workers and foster parents get special training, is not immune. **When alumni of the Casey Family Program were interviewed, 24 percent of the girls said they were victims of actual or attempted sexual abuse in foster care.** This study asked only about abuse in the one foster home the children had been in the longest, so some would not even be counted.⁸ Officials at the program say they have since lowered the rate of all forms of abuse to "only" 12 percent, but this is based on an in-house survey of the program's own caseworkers, not outside interviews with the children themselves.⁹

So is it any wonder that even Marcia Lowry, executive director of the group that calls itself "Children's Rights" – and no friend of family preservation says:

*"I've been doing this work for a long time and represented thousands and thousands of foster children, both in class-action lawsuits and individually, and I have almost never seen a child, boy or girl, who has been in foster care for any length of time who has not been sexually abused in some way, whether it is child-on-child or not."*¹⁰

This does not mean that all, or even many, foster parents are abusive. The overwhelming majority do the best they can for the children in their care -- like the overwhelming majority of parents, period. But the abusive minority is large enough to cause serious concern. And abuse in foster care does not always mean abuse by foster parents. As happened so often during the Illinois Foster Care Panic for example (see Issue Paper 2), and as the Indiana study and the Broward County data indicate, it can be caused by foster children abusing each other.

Compare the record of foster care to the record of family preservation. The original Homebuilders program (see Issue Paper 10) has served more than 12,000 families since 1982. No child has ever died during a Homebuilders intervention and only one child has ever died afterwards, more than two decades ago.¹¹

Michigan has the nation's largest family preservation program. The program rigorously follows the Homebuilders model. Since 1988, the Michigan family preservation program has served 100,000 children. During the first two

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The Track Record on Safety (continued)

years, two children died during the intervention. In two decades since, there has not been a single fatality.¹² **In contrast, when Illinois effectively abandoned family preservation, there were five child abuse deaths in foster care in just one year. That's one reason the state subsequently reversed course.**

Several states and localities that have bucked the national trend and embraced safe, proven programs to keep families together, also have improved child safety.

One state that is leading the nation in reforming child welfare is the last state many people might expect: Alabama. But Alabama implemented a consent decree (*R.C. v. Hornsby*) resulting from a federal lawsuit requiring it to reframe its whole approach to child welfare by following family preservation principles. Alabama still removes children at one of the lowest rates in the nation.¹³ Re-abuse of children left in their own homes has been cut by 60 percent – to less than half the national average.¹⁴

An independent, court-appointed monitor concluded that children in Alabama are safer now than before the system switched to a family preservation model. The monitor wrote that "the data strongly support the conclusion that children and families are safer in counties that have implemented the R.C. reforms."¹⁵

Illinois also has improved child safety, even as it has dramatically reduced its foster care population (See Issue Paper 2).

Well-being

Confronted with the fact that, for most children, family preservation is, in fact, the safer option, child savers sometimes seek to change the subject to children's overall well-being. Maybe children are safe, but they couldn't really be doing better in life when left with birth parents, could they? They could, and they do.

The largest studies ever to try to measure well-being compared outcomes for more than 15,000 children who came to the attention of child protective services from 1990

through mid-2003. The studies looked at teen pregnancy, juvenile arrests, young adult crime and youth unemployment.

On every measure, children left with their own homes did better than comparably-maltreated children placed in foster care.

And that was true even though birth families generally got only the conventional "help" offered by child welfare agencies, not the exemplary interventions supported by NCCPR.¹⁶

When University of Minnesota researchers compared children left in their own homes with comparably-maltreated children placed in foster care, they too found that the children left in their own homes did better, even when the birth families got little or no help at all.¹⁷

Why it works:

There are three primary reasons for the better safety record of communities that embrace safe, proven programs to keep families together.

- Most of the parents caught in the net of child protective services are not who most people think they are (see Issue Paper 5).

- When child welfare systems take family preservation seriously, foster care populations stabilize or decline. Workers have more time to find the children who really do need to be placed in foster care. (See Issue Paper 8).

- Family preservation workers see families in many different settings for many hours at a time. Because of that, and because they are usually better trained than child protective workers, they are far more likely than conventional child protective workers to know when a family can't be preserved -- and contrary to stereotype, they do place child safety first. (See Issue Paper 8).

As for the better well-being for children left in their own homes, that is no testament to typical services for families. Rather it is evidence of just how toxic an intervention it really is to tear a child from everyone she or he knows and loves. Anything that toxic should be used sparingly and in very small doses.

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1. Mary I. Benedict and Susan Zuravin, *Factors Associated With Child Maltreatment by Family Foster Care Providers* (Baltimore: Johns Hopkins University School of Hygiene and Public Health, June 30, 1992) charts, pp.28,30. //2. J William Spencer and Dean D. Kundsén, "Out of Home Maltreatment: An Analysis of Risk in Various Settings for Children," *Children And Youth Services Review* Vol. 14, pp. 485-492, 1992. //3. Peter Pecora, et. al., *Improving Family Foster Care: Findings from the Northwest Foster Care Alumni Study* (Seattle: Casey Family Programs, 2005). //4. Leslie Kaufman and Richard Lezin Jones, "Report finds flaws in inquiries on foster abuse in New Jersey." *The New York Times*, May 23, 2003. //5. Affidavit of David S. Bazerman, Esq., *Ward v. Feaver*, Case# 98-7137, United States District Court, Southern District of Florida, Fort Lauderdale Division, Dec. 16, 1998, p.4. //6. Children's Rights, Inc., "Expert research report finds children still unsafe in Fulton and Dekalb foster care." Press release, Nov. 5, 2004. //7. Memorandum and Order of Judge Joseph G. Howard, *L.J. v. Massinga*, United States District Court for the District of Maryland, July 27, 1987. //8. David Fanshel, et. al., *Foster Children in a Life Course Perspective* (New York: Columbia University Press, 1990), p.90. //9. *How Are The Children Doing? Assessing Youth Outcomes in Family Foster Care*. (Seattle: Casey Family Program, 1998). //10. Dana DiFilippo "Avalanche of Anguish" Philadelphia Daily News, Jan. 21, 2010. //11. Personal communication from Charlotte Booth, Executive Director, Homebuilders. Even in the one case in which a child died after the intervention, in 1987, Homebuilders had warned that the child was in danger and been ignored. //12. Personal Communication, Susan Kelly, former director of family preservation services, Michigan Family Independence Agency. //13. In 2009, the most recent year for which data are available, Alabama removed 12.9 children for every thousand impoverished children. The national average was 18.3. //14. Erik Eckholm, "Once Woeful, Alabama Is Model in Child Welfare," *The New York Times*, August 20, 2005. //15. Ivor D. Groves, *System of Care Implementation: Performance, Outcomes, and Compliance*, March, 1996, Exec. Summary, p.3. //16. Joseph J. Doyle, Jr., "Child Protection and Child Outcomes: Measuring the Effect of Foster Care" *American Economic Review*, December, 2007 and Joseph J. Doyle, "Child Protection and Adult Crime: Using Investigator Assignment to Estimate Causal Effects of Foster Care," *Journal of Political Economy*, Vol. 116, No. 4, 2008. //17. Byron Egeland, et. al., "The impact of foster care on development" *Development and Psychopathology*, (Vol. 18, 2006, pp. 57-76).