

## All-purpose DCYF/ foster care-industrial complex excuse checklist

*While we can't reproduce the unctuous tone, we can guarantee the content of the excuses that residential treatment centers and other institutions will offer to justify their existence – because we've heard them all so many times before. Agencies like DCYF also have a standard set of excuses.*

*So we've supplied this handy checklist of excuses you'll be hearing in response to State of Denial, NCCPR's report on Rhode Island child welfare – and why those excuses don't hold up to scrutiny.*

### EXCUSES FROM RESIDENTIAL TREATMENT CENTERS, ORPHANAGES, ETC:

\_\_\_ **Excuse #1:** *"We've already tried foster homes with these children. They blow out of foster homes."*

**RESPONSE:** Aside from how revealing the offensive language is in terms of how the foster care-industrial complex really views children, the reason children sometimes don't stay in family homes is that the homes themselves don't get the support they need. When children are served by Wraparound and similar programs they *don't* "blow out" of foster homes, or their own homes. But Wraparound programs rarely are available because the institutions are scarfing up all the money.

\_\_\_ **Excuse #2:** *Of course we believe in prevention, and we'd much rather children stay in their own homes. But there always will be some children who need to be institutionalized. We just want to make sure there is a full continuum of care. The people who disagree with us believe in "one size fits all."*

**RESPONSE:** Whatever number of foster children might need to be institutionalized, we know that the number is so tiny that the overwhelming majority of institutional beds can be closed – just the way Youth Villages, EMQ Child and Family Services and Wraparound Milwaukee did it. (For details, see *State of Denial*, page 16.) It is, in fact, the foster care-industrial complex that believes in one size fits all – substitute care, instead of a variety of safe, proven alternatives. And the reason there is no "continuum of care" is that, again, the institutions are using up all the money.

\_\_\_ **Excuse #3:** *We're not an institution. We've got "house parents" and cottages. We're "home-like."*

**RESPONSE:** You know that stuff people sometimes put on bread to lose weight? Stuff called "buttery spread" or "buttery light" but it always tastes like liquid plastic? People know the difference between "buttery spread" and butter. And children know the difference between "home-like" and home. It's not the buildings in a child's life that bring stability, it's the people. House parents typically quit every year or so, making institutions just as "unstable" as a succession of foster homes. And many institutions still rely on shift staff which is, of course, even worse. Children don't need Potemkin Village families, they need real families.

No matter what it may look like, a building that houses large numbers of children, most of them strangers to each other, to be cared for by paid staff hired to dispense indiscriminate pseudo-love to whoever walks in the door - staff likely to change every year or two or, in some cases, with every shift - is not a home. It's a dormitory. And a collection of dormitories is an institution.

\_\_\_ **Excuse #4:** *When the state uses alternatives to institutions it's because the state doesn't care about the kids. When they send children elsewhere, they're just doing it to save money.*

**RESPONSE:** This is the most offensive claim of all. The people who say *others* care only about money stay alive by charging states and localities huge amounts on a *per diem* basis. So the longer they hold a child in their institutions the more money they make. Talk about glass houses ...

At NCCPR, we tend to be tax-and-spend liberals and proud of it. But it is obscene to criticize a program just because, in addition to helping children, it also happens to save money. In fact, when it comes to child welfare, in general, the better the option, the less it costs.

(over)

## EXCUSES FROM DCYF:

\_\_\_ **Excuse #1:** *Pity our poor caseworkers. When they intervene “too soon” they’re branded child snatchers, when they intervene too late they’re accused of letting children die. They’re damned if they do and damned if they don’t.*

**RESPONSE:** Caseworkers are not jack-booted thugs who relish destroying families. Most are dedicated and in it for the right reasons. They’re usually underprepared and overwhelmed. But when it comes to consequences for the mistakes they make, there is a huge difference between being criticized and, say, being fired.

We are aware of no child protective services caseworker anywhere in the country who has ever been criminally prosecuted, fired, demoted, suspended, or even slapped on the wrist for taking away too many children. All of these things have happened to workers who left one child in a dangerous home where something went wrong. When it comes to taking away children caseworkers are *not* damned if they do and damned if they don’t – they’re *only* damned if they *don’t*.

\_\_\_ **Excuse #2:** *We can’t take away children on our own. A judge has to approve everything we do.*

**RESPONSE:** This one is shocking in its sheer disingenuousness. In every state, workers for agencies like DCYF can and do take away children entirely on their own authority – either they literally walk out with the children themselves or they call law enforcement to do it for them. The approval by a judge can be after-the-fact, at a hearing that’s usually a few days or a week or more later.

At that hearing, on one side, is a lawyer for DCYF who’s had all that time to prepare a case. On the other side is almost always an overwhelmed, impoverished birth parent who, if she has a lawyer at all just met him in the hallway five minutes before the hearing. The standard of proof to hold the child indefinitely is “preponderance of the evidence” – the lowest standard in American jurisprudence; the same standard used to decide which insurance company pays for a fender-bender.

Presiding over all this is a judge who knows that, just like the caseworkers, judges suffer no penalty for holding hundreds of children needlessly in foster care – but let one child return home over DCYF’s objections and have something go wrong and the judge’s career may well be over. So it’s no wonder judges are far more prone to wield rubber stamps than gavels.

DCYF *does* take away children on its own. And everyone at DCYF knows it.

\_\_\_ **Excuse #3:** *Sure adults suffer when their children are needlessly taken away, but we have to “err on the side of the child.” (Variations: “err on the side of caution” or “we’d rather see a parent inconvenienced than a child die” etc.)*

**RESPONSE:** This is the most dangerous excuse of all. There is no phrase in the child welfare lexicon that is more dangerous to children than “err on the side of the child.” That one demagogic catchphrase ignores the enormous trauma inflicted on children when they are needlessly torn from everyone they know and love. It ignores the grave risks of abuse in foster care itself. And it ignores the fact that when you overload child welfare systems with children who don’t need to be there, caseworkers have even less time to find children in real danger who really do need to be taken from their parents.

**That’s why any knee-jerk justification for taking away children needlessly winds up making all children less safe. Details on the harm this does to children are in *State of Denial* starting on page 6.**