

## Chapter 6: Child Welfare

Over the last several decades, American society came to accept that government has an affirmative responsibility to keep children safe when and if parents are unable to do so. These changing societal values brought into existence our modern child welfare system and defined it as a governmental responsibility. The fundamental underpinning of current child welfare practice is that a child belongs with a family and the family has primacy unless the child's well being appears to be at risk. That is the point when the family may become known to the child welfare system, most often as a result of a report of maltreatment made to the State Central Registry (SCR.)

New York State has long been a leader in providing services and supports to children when their families were unable to do so. The state pioneered the field of child welfare in the 1880s with the establishment of Societies for the Prevention of Cruelty to Children, later with William Letchworth's foster family model, and again in 1970 with passage of the first modern comprehensive child protection law.

The 1979 State Child Welfare Reform Act marked a profound change in thinking about child welfare. In the old paradigm, the state emphasized foster care as a matter of routine preference. Under the new paradigm, the state recognized the importance of family engagement and support, and shifted emphasis toward seeking the stability of permanent homes—either with the biological family or an adopted one.

Over the last decade both the federal government and New York State have taken dramatic steps to reduce the child welfare system's overdependence on foster care. The federal Adoption and Safe Families Act of 1997 included stringent requirements to move children in the foster care system back home or into adoption much more quickly than in the past. In New York, funding structures were revamped to invest more in preventive services to prevent entry into foster care, while capping foster care spending to discourage its overuse.

Finally, there were various efforts to reform child protection, the doorway into the child welfare system, in an effort to target services to serious reports. The Dual Track legislation passed several years in both houses, but was vetoed by the Governor. In 2006, in part as a result of highly publicized cases in New York City and across the state, significant legislation was passed to strengthen child protection, including legislation pertaining to child fatality review, child advocacy centers, staff training and public education.

The child welfare system came in contact with approximately 400,000 children in 2006, a small fraction of all children and youth in New York State. Yet these children and their families often consume a disproportionate share of public resources. Unless their child welfare experience is constructive and helpful, they are likely to need additional services from systems such as mental health and juvenile justice at a far greater cost to the taxpayer. Further, they are likely to join the ranks of "disconnected youth" and struggle into frustrating lives as adults and parents.

## FINDINGS

**The number of child maltreatment reports to the State Central Registry has dropped by 9% since 2002.** In 2002, 153,615 reports were received and in 2004 the number was 140,662. 2006 will show a substantial increase due to a number of high profile cases, particularly in New York City.

**Of all Child Protective reports in 2004 only one out of six reported families (17%) received service.** The remaining 83% received only an investigation, a frequently adversarial process notorious for traumatizing families, worsening family discord, and failing to offer support.

**The number of children in foster care has dropped rapidly in the last decade and especially since 2000 when the reduction was about 30%.** The renewed focus on preventive services seems to have contributed to the decline in foster care entry. And since 2000, increased numbers of children were placed in permanent homes as a result of adoption—and placed far more quickly than in the past.

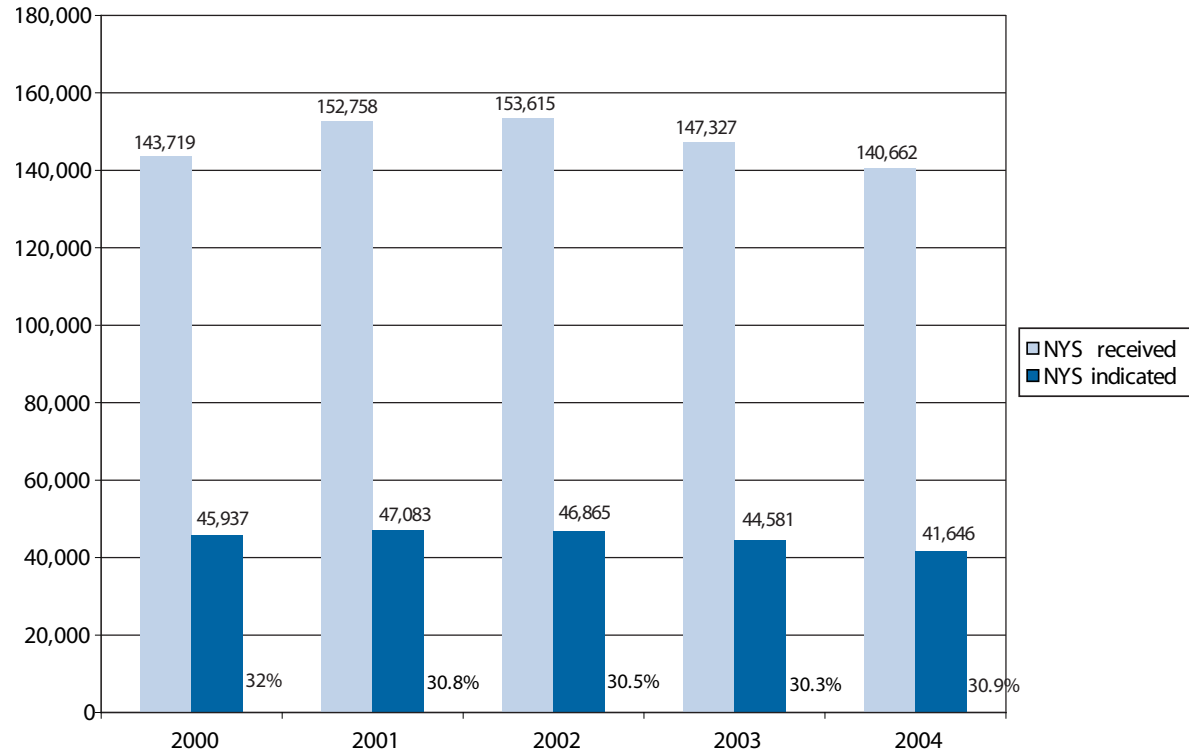
**Children two and under and ages 14-17 are 50% more likely to be placed in foster care rather than receiving preventive services than children in other age groups.** This is the result of the vulnerability of young children and behavioral issues in the older group.

**More than half of sibling groups placed in foster care were separated.** There are various reasons for separation but such separations often fray their last remaining family ties.

**Hispanic children are more likely to be placed in ethnically different foster care families.** Nearly half of all Hispanic children are placed in ethnically different families. One in five Black and White children are likewise placed in homes with race other than their own.

**Three of five children placed in foster care are reunited with their families, 23% are placed for adoption and the rest grow up in foster care or are placed with other state agencies.** The latter group are the most vulnerable youth, often moving from foster care to other service systems and too often ending up poorly educated, without employment potential and disconnected from family, schools, and their communities.

## Reports of Maltreatment Received and Indicated



**Definition:** This chart shows the number of reports of child maltreatment (abuse and neglect) received by the New York State Central Child Abuse Registry (SCR) in 2004. A report confirmed by investigation is considered “indicated,” while a report not so confirmed is considered “unfounded.” This chart shows reports received and the proportion of those reports that are indicated.

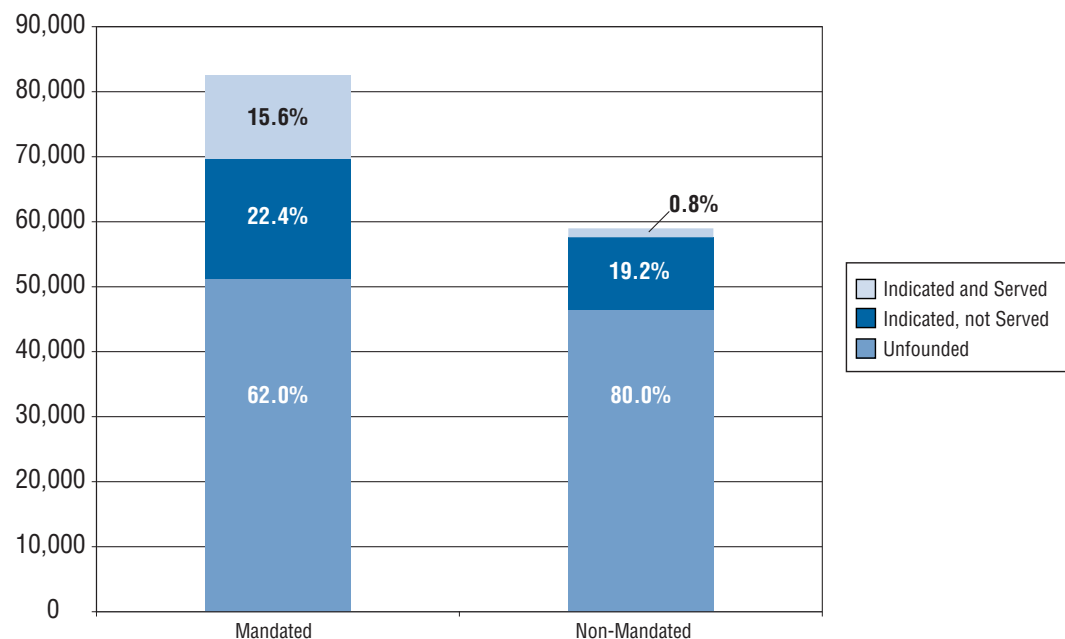
**Significance:** Less than one-third of all child maltreatment reports are confirmed by an investigation. New York State’s child welfare system receives about 140,000 or more reports of maltreatment each year,

which caseworkers must investigate to identify whether the report is indicated or unfounded.

The SCR is the front door to the state’s child welfare system. Reports have slowly declined over the past several years. But child welfare experts report a surge in reports for 2006 as a result of recent abuse-related fatalities in New York City.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).

## Reports of Maltreatment by Reporter Type, Cases Indicated and Cases Open for Services



**Definition:** This chart breaks out all maltreatment reports received in 2004 by type of reporter. Mandated reporters are persons in a wide range of professions and roles named in statute. Non-mandated reporters are all others, including friends, neighbors and family members. A report confirmed by investigation is considered “indicated,” while a report not so confirmed is considered “unfounded.” A report that leads to further action is called “served,” while one on which no further action is taken is “not served.”

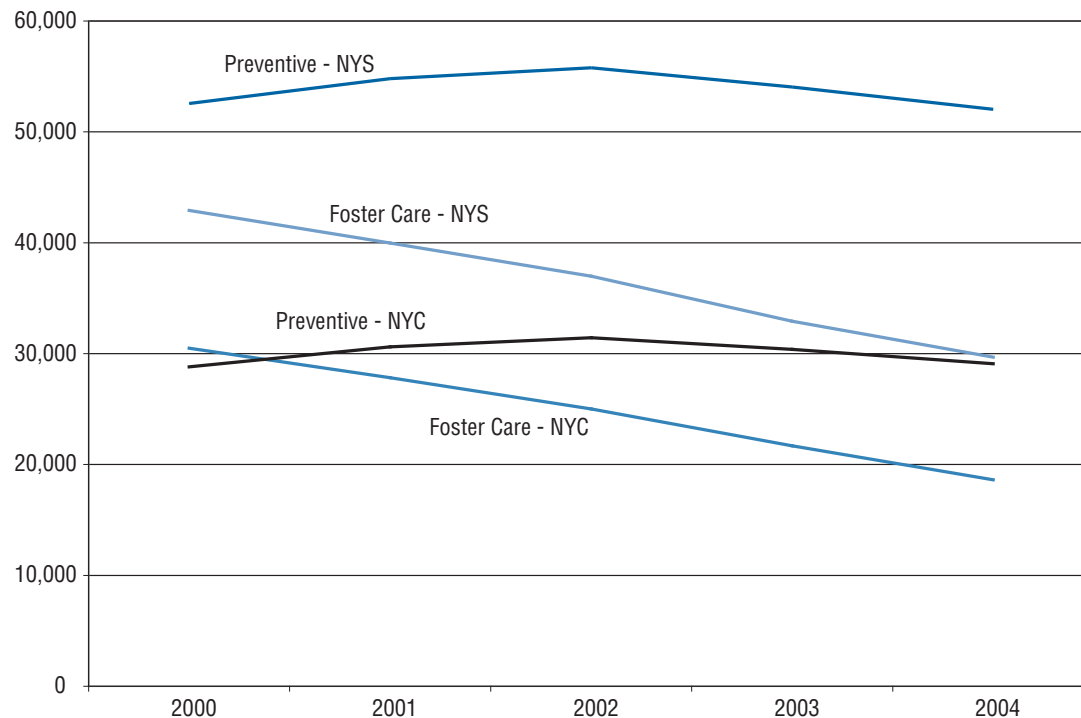
**Significance:** About one-third of all reports are indicated. Of those indicated reports, only 40% receive services of any kind. Thus 83% of families reported for child maltreatment do not receive service of any kind, only an adversarial investigation. The county agency may not see a serious need for either foster care or preventive services, families can refuse services, or other factors may intervene.

Reports received from mandated reporters are 17% more likely to be indicated than reports from non-mandated reporters. This is unsurprising, since mandated reporters are trained in recognizing and reporting maltreatment. Nevertheless, the standard required to “indicate” a report results in the unfinding of the majority of reports from mandated reporters, as well as those received from non-mandated reporters. Interestingly, indicated reports from mandated reporters are 19 times more likely to be served than comparable reports from non-mandated reporters.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).

“Data Analysis for the New York State Citizen Review Panels,” Hornby Zeller Associates, Inc., December 2005.

### Children in Foster Care and Receiving Preventive Services in New York State and New York City



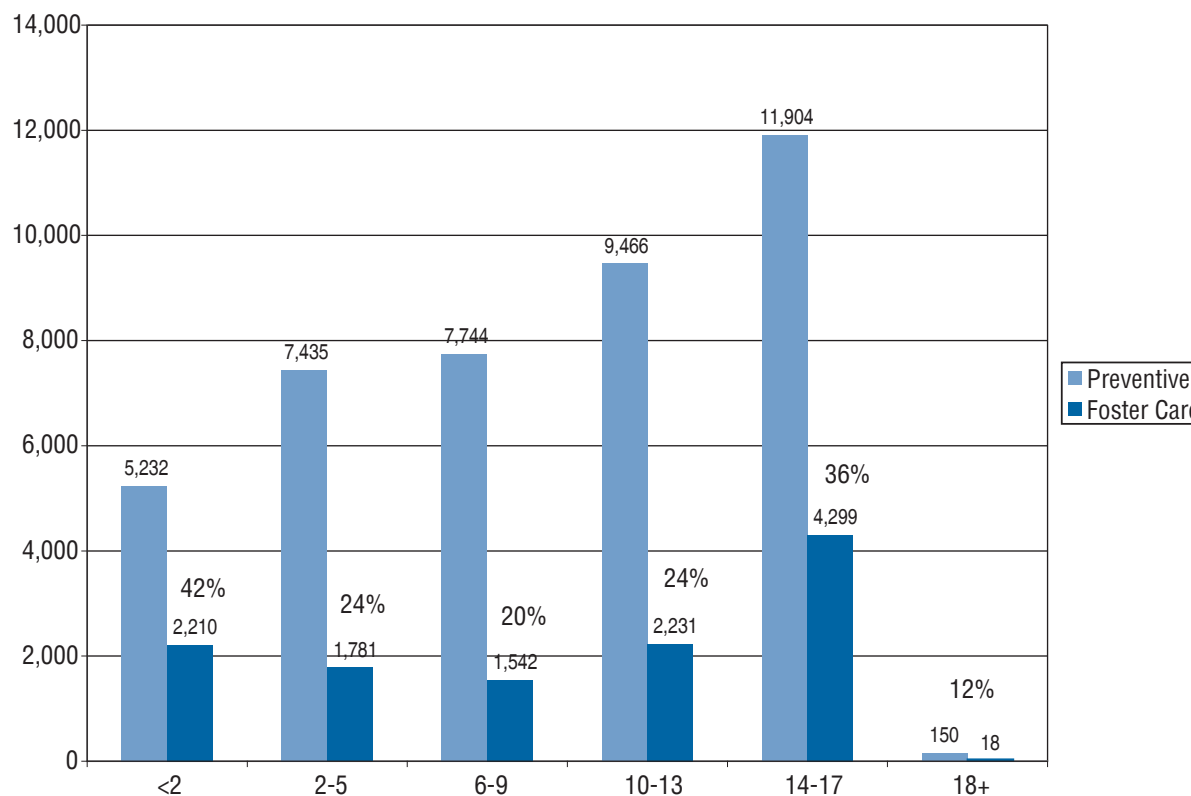
**Definition:** This chart shows the trend in provision of foster care and preventive services from 2000 to 2004. Foster care consists of the placement of the child in foster family care or at some higher (residential) level. Preventive services are those services which are required by federal and state law to avert placement in foster care and may include case management, parent education, clinical services, etc.

**Significance:** Foster care represents a profound disruption in the life of a child, potentially compromising that child’s developmental progress. The use of preventive services is essential to maintaining family integrity and minimizing potentially unnecessary use of foster care.

Since 2000, the number of children in foster care dropped dramatically, especially in New York City. During the same period the use of preventive services increased until 2002, followed by a modest decline in utilization. While the picture is more dramatic in New York City, this same pattern applies to the state as a whole.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).

### Children Receiving Foster Care and Preventive Services by Age Cohort



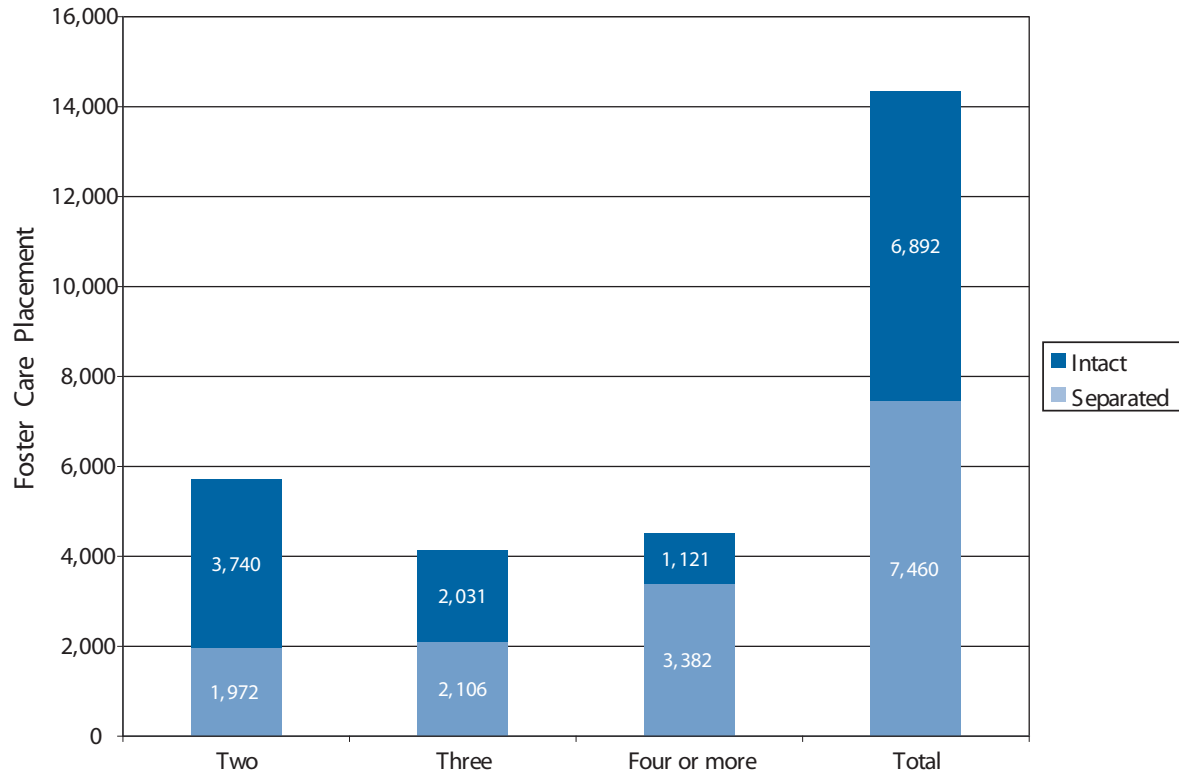
**Definition:** This chart shows the number of children whose families receive preventive services or foster care placement, broken out by age cohort.

**Significance:** Children under two are somewhat more likely than children ages 2-14 to be placed in foster care rather than receiving preventive services. For very young children placement in foster care stems from fear of injury, and bringing down the placement rate may be difficult without putting some children at risk.

For children 14 and older, use of foster care is about one-third more likely than for the younger children and children 18 and older are twice as likely to be placed in foster care. This picture reflects the child’s own behavioral problems as the primary reason for the placement. Evidence-based practices are emerging which may help avert entry of some older children into the foster care system. It is imperative to test and then mainstream these practices into the child welfare system.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).

## Separation of Sibling Groups



**Definition:** This chart shows the number of children placed in foster care, broken out by the number of siblings (2, 3 or 4+) and whether they received placement together or in separate placements.

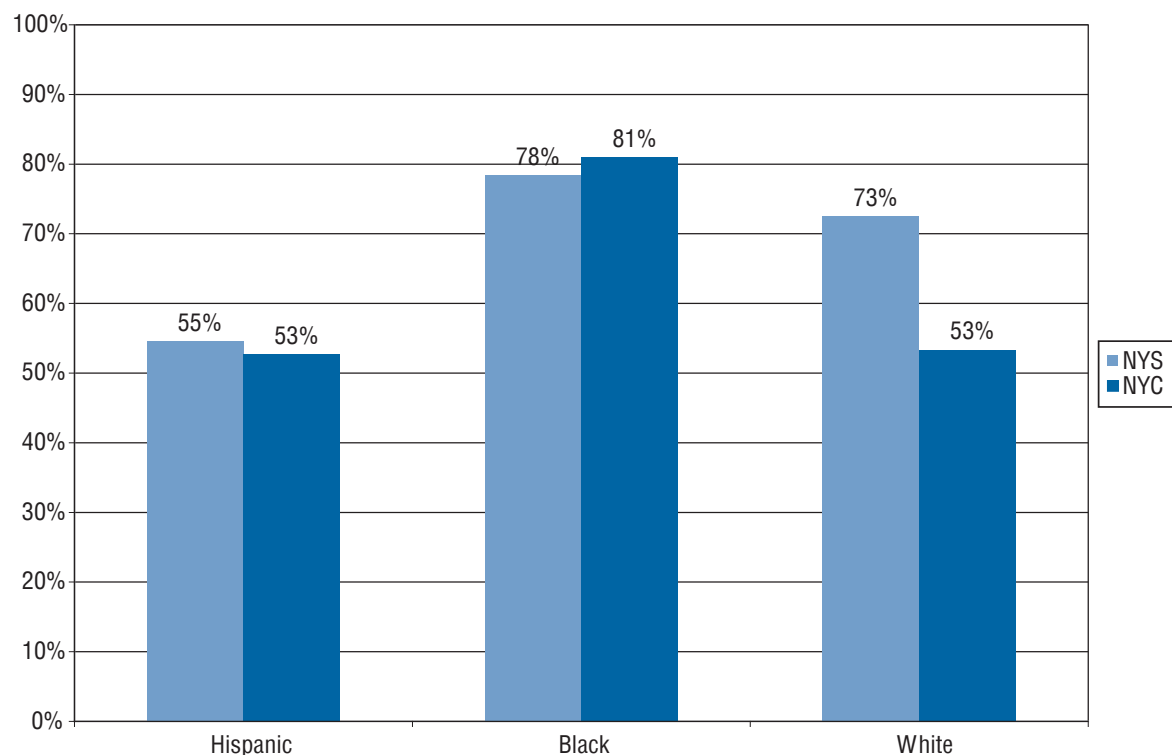
**Significance:** For children removed from their families, strong sibling bonds are often their only remaining security. Yet separation of siblings in foster care is extremely common in New York.

More than half of all siblings were placed in separate homes, thereby risking the emotional stability of over 7,000 children. The causes of this longtime practice are complex and understudied. Issues that have

been cited include inadequate foster home capacity, reluctance or inability of foster parents to take more children, placement of one child at a higher level of care or at a different time and a common—but often unwarranted—presumption by caseworkers and foster parents that siblings who fight should be separated.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).

### Foster Care/Adoption Placement with Parent of Own Race or Ethnicity in New York State and New York City



**Definition:** This chart shows the share of all children placed for foster care or adoption in 2004 with parents of the same race or ethnicity as the child.

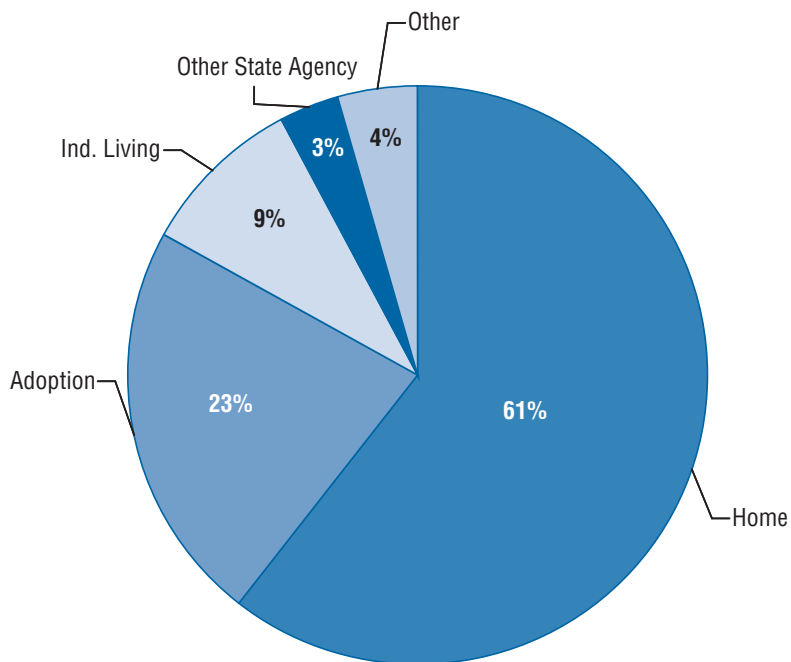
**Significance:** Children placed with parents of different race or ethnicity may face additional adjustment issues above and beyond the usual difficulties faced by all children in a new home environment.

About 55% of Hispanic children statewide were placed with parents of the same ethnicity, while more than three quarters of White and Black children were placed with parents of the same race. In addition, White

children were significantly more likely to be placed with parents of the same race outside of New York City. As the next chart illustrates, three out of five children return to their families. Accordingly, the placement with a family of similar background can help to sustain cultural bonds and speed the return home. It should be noted that federal law absolutely prohibits consideration of racial matching in foster/adoptive placements.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).

### Foster Care Discharge by Destination



**Definition:** This chart shows outcomes of children who departed foster care in 2004. Home and adoption are self-explanatory. “Independent Living” refers to children discharged from foster care upon reaching young adulthood. “Other State Agency” includes children discharged needing care by another system, such as mental health or juvenile justice.

**Significance:** Nearly a quarter of the children leaving foster care are adopted, often by foster parents. Yet many adopted children have experienced significant neglect, abuse and instability in living conditions over the course of their childhoods. As a result, they and their adoptive families may need ongoing mental health and other services referred to as post-adoption services. However, the availability of post-adoption services continues to lag behind client

demand. The New York child welfare system is only beginning to recognize and meet the need for such assistance.

Discharge to independent living and “other state agency” are generally considered by experts to be negative outcomes. Young people who grow up in foster care and are discharged in young adulthood too often find themselves unprepared educationally, socially or emotionally to live independently. Young people discharged to the mental health or juvenile justice systems are beginning adulthood in a downward spiral. Although federal legislation has been enacted to strengthen services to these at-risk youth, too many get on the pathway to becoming disconnected from families, work and/or school.

**Source:** *Monitoring and Analysis Profiles (MAPS)*, New York State Office of Children and Family Services (OCFS).