## Gaps in the Child Welfare System Statement of Charles Nyby,

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I was hired into the Child Welfare system in September 2002 at the age of 23, fresh out of college. I sought out this profession with a desire to help. I wanted to protect kids from parents who hurt them and help those parents change. Over the next 5 years of doing casework I learned that most people don't like Child Welfare. This includes the families the system is trying to help. I learned that telling people I worked for Child Welfare was risky. Sometimes it meant hearing about how Child Welfare took kids when they shouldn't, that Child Welfare destroyed families. Or it meant hearing about a family where kids were being abused or neglected and nothing was being done, trying to answer why this was happening. I remember being in an airport waiting for a delayed flight talking with a group of travelers in the same situation. As the group was getting to know each other and asking about professions I shared that I worked for Child Welfare. A District Attorney in the group stated, "Oh, you're the people who take kids away just to return them to the same situation."

I found that many people didn't have faith in the Child Welfare System. They didn't feel like it worked. This was hard because I wanted to feel proud about my job. Supervisors and experienced workers who mentored me would say "it's not a perfect system." I came to accept that, avoided telling people where I worked and did my best inside an imperfect system.

I still treated people with compassion and did my best to support families. I carried in-home cases, but had no idea how to develop a safety plan. Most of my work was based around asking parents to make promises they wouldn't keep and removing kids when parents failed to comply with the court order. I didn't help people change. I tracked and monitored their compliance. I thought that since kids were in foster care and had been for years, I shouldn't try to return them home. The court had already changed the permanency plan. I just thought that's the way it stayed even when they ran back to those homes.

Learning how to navigate larger systems to benefit families and children takes time. I don't believe anyone comes to front line casework totally prepared for the challenges this work presents. I learned how to navigate these types of cases through trial and error. Through this learning process I vicariously experienced the challenges kids and families involved in the Child Welfare system faced. I remember thinking that foster care should be better than where children were coming from. So, when I was asked to move kids two days after placing them my heart broke inside. When I was yelled at by foster parents because I didn't authorize a high enough special rate I felt defeated. When I picked up a teen boy who had been living on the street for 2 weeks, cold and barely eating because he liked that better than foster care I struggled to understand.

I tried to overcome the system barriers as a worker, remain compassionate, abstain from judgment and attend to self-care. But in all honesty I felt helpless. I felt like the work I was doing was at times for not. At times the heart break and challenges overwhelmed me. I thought of leaving the child welfare system many times and watched as friends and co-workers left to pursue higher education, become police officers, counselors, probation officers, hospital social workers etc. And almost unanimously they decried how much better it was in their new job. This echoed the sentiment I would often hear from community partners when I worked with them asking, "How do you do your job?" I could never do that job". I wondered am I doing the

right thing by staying in the work? But, there were moments of success and those moments kept me going. I remember working a case involving a young single mother working to overcome a drug addiction while parenting two toddlers. I remember her determination as she did the leg work to find sustainable housing without any family support or involvement from the children's fathers while working and attending drug treatment. I talked with her treatment providers who shared her progress and confirmed her sobriety. I recall admiring how she was completing her service plan while working and getting her kids to day care by public transportation. As she stayed sober with the pressure of parenting young children in adverse circumstances I wondered where she found the strength. Being able to present her case in front of the judge and end her involvement with Child Welfare was the kind of success that motivated me to stay, despite my doubts and the challenges I was experiencing. This was the work that helped me feel like this was where I was supposed to be.

So, I kept at it and did my best to have an impact on the families I worked with. I improved as a caseworker by gaining experience and grew by embracing the improvements Oregon made to the system. In 2007 Oregon implemented a new practice model, the Oregon Safety Model. It promoted the least intrusive intervention, focused on child safety and used foster care as a last resort. This shift in practice in Oregon was significant for line workers and I really wanted to practice this model. I want to give you an example of how this shift impacted my work.

I responded to a home, accompanied by a Certified Drug and Alcohol Counselor at the request of Narcotics Officers who raided a small trailer where heroin was being sold. The father had sent his 3 year old daughter to stay with a friend and hide his child. The father refused to provide her location to Law Enforcement or Child Welfare. The child's mother arrived on scene with her new boyfriend. She was homeless, dirty and trying to kick her habit. She begged me to find her daughter and tears welled in her eyes as she promised she wasn't currently using and had just detoxed. She promised she could take care of her daughter and would do anything to work with Child Welfare to make sure her daughter would be safe in her care. For several days the father would not disclose the location of their child despite me meeting with him daily. So I was forced to involve the juvenile court. The father brought the child to court to avoid the agency asking for a pick up warrant. I recommended the little girl be placed with her mother at a homeless mission on the condition the mother provide urinalysis to prove she wasn't using, participate in drug treatment and take parenting classes. I also advised the court I would help her get housing. It wasn't a strong plan because it relied on work yet to be done, but I wanted to use foster care as the absolute last resort. I hoped the court would take a chance and trust that I would follow through as the caseworker. However, at the hearing the father continued making allegations of drug abuse against the mother and his attorney asked for their daughter to be placed in foster care. The child's attorney looked at me and said to the Judge "I don't understand the agency's recommendation to place a child with a parent in a homeless mission". The Judge responded, "Neither do I" and ordered the child be placed in foster care. After the court hearing I took a screaming 3 year old child from her mother's arms in the court parking lot. Her mother was crying but comforted her daughter, soothing her and tried her best to reduce the trauma. I remember wishing I was able to describe the impact this type of removal has on a child, how the

trauma of that removal is so great, it should only occur when safety can't be obtained through other means.

For the next 60 days I asked the mother and her new boyfriend to find housing. We discussed their progress to assure they could afford rentals they were looking into. I was able to secure funds to pay their move in costs. I talked with landlords in an effort to provide some security in renting to the couple. I visited their home multiple times to assure it was safe. I provided transportation vouchers so they could get to urinalysis testing and drug treatment. I referred them for drug and alcohol assessments and communicated with their treatment counselors. I referred them to parenting classes and discussed progress with that program. I had weekly contact to discuss progress in recovery, parenting and finding employment. I included the boyfriend and got him into drug treatment as well. When the case returned to the court, I asked the child be placed with her mother citing all the progress made sharing my observations of the mother's home. The child was returned to her mother despite the father's protest. The mother on this case sent me an email a few years ago sharing that she had graduated nursing school, had another child and thanked me for the work I did on behalf of her family. This case is a compelling example of what is needed to keep kids at safely at home with parents that are working to address their significant challenges. It requires readily available services to build safety around the family. It takes a workforce with time to commit to moving through this system with the family, ready to support and provide accountability for parents. Without the time that most caseworkers don't have, available community services, and a skill level I didn't have until I was in the job for several years, families can't be as successful as their children need them to be. This is one case and there were others where the family wasn't as successful, but the implementation of the Oregon Safety Model provided a practice model that better supported families and Child Welfare workers get to better and safer outcomes for children. Ideally, the federal child welfare financing structure should help states and caseworkers find and fund these prevention and earlier intervention services that we know reduce trauma for children and create success for families.

I became a supervisor in 2007 and remained in that role until 2013. Being a CPS supervisor was the most challenging 5 years of my life. As a supervisor I was rarely off duty. Even when I was away from work or took time off I was also on-call to my workers or the community if a worker didn't respond to an after-hours emergency. I felt like I owed my workers that much, to at least be available to them, because at times it felt like that was the only tangible support I could provide. This kept my mind thinking about work often. I wondered why certain workers or supervisors pushed back at avoiding foster care, why they didn't like in-home cases or non-court involved cases. I thought about why certain workers felt so uncomfortable trying to keep kids safe at home. I learned that sometimes it was fear, other times it was cynicism that decisions would not be supported by the agency, and sometimes it was doubt that families as challenged as some are could change.

Caseworkers were afraid they would have the case that ended up on the front page of the paper or on the news, responsible for the child who was hurt or killed. We all knew that as child welfare workers this is what the public hears, that's what people pay attention to and those are

the cases that get studied. In the field we didn't get requests from administrators to look at the case where we spent hours working with the family, their support system and organizing services in the community to keep kids safe at home. We received requests to look at the case where the child died where someone would go through every piece of work ever done looking for where things went wrong. I supervised several of these cases and it's daunting. So the cases that make up maybe 1-2% of the cases across the state ended up impacting workers on every other case they touched. Fear was real and in order to manage it I had to be willing to take it on for workers, to support them and shoulder the responsibility for work I wasn't doing.

Over the years more upfront services were made available and using these services became more engrained in practice. The agency continued moving in a direction that would reduce reliance on foster care as the primary service for child safety. We could provide in-home parenting classes, drug and alcohol specialists and domestic violence advocates. We could refer for many other services, could provide payment for transportation, housing and sometimes child care. Again, this type of practice change takes time and practicing the model with fidelity is important. It was critical that caseworkers bought into this model to ensure in-home support services weren't merely used as a way to gather more information, essentially as an extension of the investigation. Engagement couldn't just be superficial. In 2013 I left supervision for a job in Oregon's Central Office as a Differential Response Consultant (field trainer/coach). Oregon was beginning initial implementation of our model of Differential Response (DR). Differential Response is essentially, differentiating the front door of Child Welfare. It allows for an approach that is tailored to the needs presented by the family and is proportionate to the information reported to Child Welfare. Differential Response values the family as an expert on their challenges and allows the family to drive their plan. I remember the first DR meeting I attended was a Technical Assistance partnership with Ohio who had already implemented a DR system. At the end of the meeting they asked each person attending to offer closing thoughts. I stood up and said, "I've worked in the Child Welfare system for 12 years and I've heard co-workers say that if they ever had a Child Welfare worker show up at their door they would not let them talk to their kids. But after the past few days I just heard about a system that I would feel comfortable experiencing as a client, a system I would feel ok about my family having an assessment in. The kind of system I would feel proud to work in."

Part of what made me so excited about this system is not just the emotional appeal of engaging people differently and supporting children being safe at home, but also the tangible supports that came with Oregon's implementation. Oregon's DR system included an enhancement to our service array, identifying and filling the gaps in each community across the state. Legislation was passed establishing Strengthening, Preserving and Reunifying Families Programs across the state and they allocated general fund dollars to support the implementation. Caseworkers and supervisors were excited at the opportunity to have enhanced services available that allowed them to work with families differently. It felt like as a state, we finally understood and embraced what needed to be improved about the system so families could be successful.

When DR implementation began in May 2014, I felt energized about my job in a way I never had. It finally felt like all the messaging about keeping kids out of the foster care system was

being supported by the Child Welfare practice model. Workers could approach families with real solutions, offer tangible supports filling the gaps in the existing service array. It's not yet a magic solution but it gives hope, options and opportunities families didn't have before.

As a DR field-coach I've sat in living rooms, talked with families, explained the differences in Child Welfare's response and interviewed children in an effort to understand rather than for gathering evidence. I've given presentations to attorneys, Judges and CASAs. I've trained caseworker and supervisors. I've helped developed systems in branches to support the work and I've watched caseworkers and supervisors change their practice. I've listened to families thank caseworkers for treating them with respect, for caring about their family, for empowering them. I've heard families offer solutions to problems and caseworkers say they can offer tangible support where the family needs help. Alone, this isn't new practice. Caseworkers have been doing this for years wherever they could. What is different are the options, tools and solutions caseworkers can now easily access for families. In turn, families feel like they can get the help they actually need and people start to feel empowered. Parents ask for help rather than avoiding it. Caseworkers enjoy their job rather than feeling helpless. Supervisors have options to solve problems and our communities are seeing Child Welfare in a different way.

I've experienced Oregon's Child Welfare system evolution during my 13 year career, but it's been the past 2 years that I've seen significant impact on things in Child Welfare I truly never thought possible. Caseworkers have become helpers rather than just investigators. Caseworkers have more options, flexibility and are empowered to be creative with families. They still take action to keep kids safe, but they have options and tools necessary to develop in home safety plans. If a parent doesn't have relatives or a support system, workers can provide them with a system navigator, a mental health specialist, addiction/recovery peer support, parent training, housing with case management and more. All of these services can be in the family home, and they will travel to rural areas where services are scarce. Foster care is being viewed for what it was intended, a service of last resort to keep children safe. If a family has moderate to high needs but the children are safe, the family can receive contracted services for 3-6 months without the agency needing to intervene. Workers can now provide earlier intervention services in an effort to prevent families from returning to the child welfare system.

Again, change takes time and people go through their own process with change. It's my opinion that in order to continue progress with Child Welfare reform, changes are needed in the way Child Welfare systems are funded. We need to be able to support families to safely parent their children and we need the ability to bring services to the family where they are in their process of change. Systems need flexibility just like families do. Foster care is an essential element of every child welfare system and it is a safety service that should only be used when there are no other options. Oregon has had a Title IV-E Waiver for a number of years which allows the state to spend its federal foster care dollars more flexibly. Currently, any waiver savings are matched and used to finance the expanded service array. This has allowed Oregon to increase the service capacity in communities as well as increase the array of services available for families. I understand the Waiver authority is scheduled to expire in 2019. I worry that without a legislative change, our ability to invest in these front-end foster care prevention services will be reduced.

Funding child welfare primarily through foster care placement doesn't support families or the system changes Child Welfare programs are working to implement.

I want to close by saying my journey as a line worker and supervisor is an experience I would not trade. Working at the line level has helped me intimately understand the challenges of families and children in our community. It trained me in the challenges presented by the system and it has helped me help families see possibilities. And I understand that working for Child Welfare will always be a difficult job with great reward.

Thank you for your time and commitment to making our system more responsive to the changing needs of families and children.