

S. HRG. 114-304

**A WAY BACK HOME: PRESERVING FAMILIES AND  
REDUCING THE NEED FOR FOSTER CARE**

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**HEARING**

BEFORE THE

**COMMITTEE ON FINANCE  
UNITED STATES SENATE**

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

—————  
AUGUST 4, 2015  
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**A WAY BACK HOME:  
PRESERVING FAMILIES AND REDUCING  
THE NEED FOR FOSTER CARE**

TUESDAY, AUGUST 4, 2015

U.S. SENATE,  
COMMITTEE ON FINANCE,  
*Washington, DC.*

The hearing was convened, pursuant to notice, at 10:10 a.m., in room SD-215, Dirksen Senate Office Building, Hon. Orrin G. Hatch (chairman of the committee) presiding.

Present: Senators Grassley, Crapo, Cornyn, Thune, Portman, Toomey, Scott, Wyden, Stabenow, Cantwell, Brown, Bennet, and Casey.

Also present: Republican Staff: Chris Campbell, Staff Director; and Becky Shipp, Health Policy Advisor. Democratic Staff: Jocelyn Moore, Deputy Staff Director; and Laura Berntsen, Senior Advisor for Health and Human Services.

**OPENING STATEMENT OF HON. ORRIN G. HATCH, A U.S.  
SENATOR FROM UTAH, CHAIRMAN, COMMITTEE ON FINANCE**

The CHAIRMAN. The committee will come to order.

Robert Frost once wrote, "Home is the place, when you have to go there, they have to take you in." Unfortunately, for far too many children in our foster care system, that type of home is not available.

Today the Senate Finance Committee will hear testimony on alternatives that can reduce the reliance on foster care group homes. I have been very pleased to have worked on this hearing with Ranking Member Wyden. In fact, I enjoy working with him on everything that we have been working on.

Senator WYDEN. Thank you, Mr. Chairman.

The CHAIRMAN. This is a bipartisan hearing, and I appreciate Senator Wyden's efforts—as well as those of his staff—to make it so.

The basic premise of this hearing is simple: whenever possible, children should grow up in a home with their family. When problems arise, attempts should be made to keep children safely at home. If a child cannot be kept safely at home, efforts should be made to place them with fit and willing relatives.

Children and youth should only be placed in group homes for short periods of time, and only when efforts to place them in a safe family setting have been exhausted. Too many children and youth spend years isolated and confined in foster care group homes.

This past May, the committee held a hearing on the need to safely reduce reliance on foster care group homes. We heard powerful testimony from a former foster youth about her negative experiences in a foster care group home. The committee also heard testimony about how expensive, inappropriate, and ultimately detrimental placement in these homes can be for many children and youth.

I believe that we should do whatever we can to reduce the reliance on foster care group homes. There is a point when we should refuse to spend scarce taxpayer dollars to subsidize a placement that we know results in negative outcomes not only for children but youth as well. As I have said in the past, no one would support allowing States to use Federal taxpayer dollars to buy cigarettes for foster youth. In my view, continuing to use taxpayer dollars to fund long-term placements in foster care group homes is ultimately just as destructive. However, it is not sound public policy to work to reduce the reliance on group homes without addressing the need to support a family placement for children and youth currently in or at risk of entering one of these facilities.

The purpose of this hearing is to examine alternatives to foster care group homes. Such alternatives include allowing States to use their Federal foster care funds for the purpose of providing services and interventions that can result in allowing children to stay safely at home.

Currently, the Federal Government devotes the highest proportion of its Federal foster care funding to the least desirable outcome for vulnerable families: removal of a child from his or her home and placing them in stranger care or in a foster care group home. Current Federal foster care laws prohibit States from using certain Federal funds to provide up-front services that could ameliorate harmful conditions in the family home.

Some States, like Utah for example, believe that they can reduce the need for foster care if they use certain Federal funds to provide front- and back-end services to families. In 2011, Chairman Baucus and I drafted legislation that allowed up to 30 States to get waivers in order to innovate and use their Federal foster care dollars to provide these up-front services.

Today we will hear from an official from my home State of Utah on how this flexibility has improved outcomes for children and families, reducing the reliance on foster care. I believe we should extrapolate from Utah's innovative HomeWorks initiative as a model for all States. When you ask a child who has been in foster care how we can best improve the current foster care system, often the answer will be: "You could have helped my mom so that I did not have to go into foster care in the first place."

When a child cannot remain safely at home or assisting the parents to maintain guardianship is untenable, another alternative is to locate a fit and willing relative for the child. And in recent years, Congress has taken some steps to increase these types of outcomes.

For example, in the landmark legislation *Fostering Connections to Success and Increasing Adoptions Act of 2008*, Congress allowed States to get Federal reimbursement for certain kinship placements. And under legislation enacted in the last Congress, States

are now allowed to get Federal incentives for increases in kinship placements.

In other words, Congress has strongly signaled to States that kinship placements should be a priority, but I have to say, challenges still remain. Today we will hear about these barriers to kinship placement and suggestions to make these placements more prevalent.

I know that Senator Wyden is planning to introduce legislation which would allow Federal funds to be used for services to help families stay safely together. I look forward to working with him and any other members of the committee on legislation that would reduce the reliance on foster care group homes and allow States to use their Federal foster care dollars for these prevention services.

I hope to have a committee markup of this legislation in the fall. This hearing is part of a bipartisan process to improve outcomes for vulnerable children and families, and I hope that members will listen carefully to the testimony and policy recommendations presented here today.

[The prepared statement of Chairman Hatch appears in the appendix.]

The CHAIRMAN. Let me now turn to Senator Wyden for his opening remarks.

**OPENING STATEMENT OF HON. RON WYDEN,  
A U.S. SENATOR FROM OREGON**

Senator WYDEN. Thank you very much, Mr. Chairman. In the beginning, I want to take note of the fact that you, Mr. Chairman, have spent decades, literally decades, keeping child welfare issues bipartisan here in the U.S. Senate, and I commend you for that. I look forward to building on that partnership. I know Becky Shipp is here. She has carried the torch for many years as well, and I think once again the Finance Committee can work in a bipartisan way on this issue.

Mr. Chairman and colleagues, this morning in America, there is likely to be a single mom with two kids, multiple part-time jobs, and one really big worry. She works long hours to provide for her family, but even then, it is a struggle to pay the bills and keep food on the table. And because her work schedule changes week to week, she is forced to leave her children unattended at times. A neighbor might place a concerned call to Child Protective Services. Once that happens, social workers have to choose between two not very good options: breaking up the family, or doing nothing at all to help. And that has to change.

Whenever you ask anyone who has been through the child welfare system about what could help them the most, the answer is often, and I quote here, "helping my mom . . . helping my dad . . . helping my family." But that is just not in the cards when social workers have nothing to offer but foster care.

Today kids predominantly wind up in foster care because their families, like that single mom, are caught in these enormously desperate circumstances that lead to neglect. Most youngsters in foster care are not there because of physical or sexual abuse. Maybe mom or dad needs help covering bills for a month, substance abuse treatment, or connections for child care. Oftentimes, a youngster's aunt,

uncle, or grandparents could step up, especially if they had just a little bit of assistance. In my judgment, every single one of those avenues ought to be explored before breaking the family apart. In fact, it might save resources in the long run without compromising on safety.

Back in the mid-1990s, there was a big debate about what we are going to talk about this morning. A gentleman by the name of Newt Gingrich said that the answer here was to put the kids in orphanages. I remembered hearing that, and I remembered from my Gray Panther days that a lot of the seniors and a lot of the churches they went to had been talking about how a grandparent might be able to step in for a short period of time when their child, the parent, the second generation in effect, was having a little problem: they were out of work for a while, they had a substance abuse problem. And I learned then that older people—grandparents, aunts, uncles—were an enormous untapped potential of kin that could make a big difference in terms of how we assist these troubled youngsters.

So back then, in the 1990s, I authored the Kinship Care Act, which said that immediate relatives—aunts and uncles or grandparents—who met the necessary standards for caring for a child would have the first preference under law when it came to caring for a niece or nephew or grandchild. And it, in effect, was the first Federal law that had been enacted to promote kinship care.

So here we are in 2015, and I think we have an opportunity, as Chairman Hatch just suggested, for going even further to help these youngsters thrive with kin. It begins with letting the States run with fresh policies that will support families when they have fallen on hard times. There is already proof that waiving States out of the old-fashioned Federal system can produce results.

My home State of Oregon has a program—and I am very pleased that Chuck Nyby is here. We call it “Differential Response,” because it basically is all about signaling that every child and every family may require a different type of support. The old two-option system, basically saying it is either foster care or nothing, does not cut it. And what Mr. Nyby is going to talk about is how Oregon has taken a more tailored approach to help the families out. The Finance Committee is lucky to have Chuck Nyby from the Oregon Department of Human Services, and I think my colleagues are going to be interested in where Oregon is headed.

Strong families mean strong kids. That is the bottom line. And tomorrow I am going to introduce legislation that builds on that first bill of the 1990s on kinship care. Our new proposal will be called the Family Stability and Kinship Care Act, and the bill will make sure that more States are in a position to adopt fresh strategies like Oregon’s. It will also provide more opportunities to tap that extraordinary potential that is out there of grandparents, aunts, uncles, and family members who can step in in the kinds of circumstances where otherwise a child may just have one of two options that they do not care for.

I will close simply by saying I want to make it clear that this is in no way a condemnation of foster care. The fact is, we know kids for whom foster care has been a lifesaver, kids for whom foster care was a safe place where they could grow up and thrive. What

this is all about is creating as many good choices as we possibly can for youngsters to grow in a safe, healthy environment. That means keeping families together.

And I will close by way of saying that, as I said at the outset, Chairman Hatch has put in decades—decades—trying to steer this child welfare debate in a bipartisan way. I commend him for it, and I want the chairman and colleagues on both sides of the aisle to know I think we have an opportunity to rise to the occasion again, and I look forward to working with the chairman and all of you on it.

Thank you, Mr. Chairman.

[The prepared statement of Senator Wyden appears in the appendix.]

The CHAIRMAN. Well, thank you, Senator Wyden.

Let me introduce our panel of witnesses today.

First, we are going to hear from Sandra Killett, a well-respected parent advocate in New York City. Ms. Killett is a single mother who has raised two sons who are now 22 and 20 years of age. As we will hear, she experienced firsthand problems in our foster care system when her eldest son was removed from the home for 1½ years due to behavioral issues. After much perseverance, she was able to be reunited with her son, who is now pursuing a degree in architecture at the New York City College of Technology. Ms. Killett currently serves as the executive director of the Child Welfare Organizing Project.

Next we will hear from Rosalina Burton, a former foster youth from San Diego, CA. Ms. Burton lived through 23 different placements and numerous school changes during her 12 years in foster care. Now just 23 years old, Ms. Burton enjoys working as a mental health worker at San Pasqual Academy, a residential facility for foster youth in San Diego County. She is also currently attending Palomar Community College where she will obtain her bachelor's degree and continue on to work towards a master's in social work and policy.

We will next hear from Donna Butts, who served for over 17 years as the executive director at Generations United before taking the helm at Generations United. Ms. Butts served as the executive director for the National Organization on Adolescent Pregnancy, Parenting, and Prevention. She received her undergraduate degree from Marylhurst College and later graduated from Stanford University's executive program for nonprofit leaders. She is a recipient of the Jack Ossofsky and Seabury leadership awards. She has also been recognized twice by *The NonProfit Times* as one of the top 50 most powerful and influential nonprofit executives in the Nation.

I would now like to give Senator Wyden a chance to introduce our third witness, Chuck Nyby, who is representing the great State of Oregon. Senator Wyden?

Senator WYDEN. Mr. Chairman, thank you. Mr. Nyby—and I touched on his extremely important work on Differential Response and trying to make sure there was not a one-size-fits-all approach for helping these youngsters, and he has been doing it for the Oregon Department of Human Services for the past 13 years. He has gone from caseworker to supervisor, and now I think it would be fair to say Chuck Nyby is the guy who implements this fresh strat-

egy that people are looking to. Prior to his work with the Department of Human Services, he worked for the Youth Authority. He is a graduate of Eastern Oregon University.

And, Mr. Chairman—I will not filibuster here—but we have three Oregon connections on the panel, not only Chuck but Ms. Donna Butts, whom we just mentioned. And I guess I am showing my age, but I remember Jack Ossofsky and his good work. Ms. Butts has roots in Oregon. And Ms. Rosalina Burton is a transplant to Oregon for the summer. So we kind of run the table at the end of the dais over there. [Laughter.]

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Last, but certainly not least, I am pleased to note that we will hear from Ann Silverberg Williamson, Executive Director of my State's—Utah—Department of Human Services. Ms. Williamson graduated from Wofford College in South Carolina with a bachelor's degree in theology. She then went on to complete a master's in social work from Louisiana State University and has gone on to receive distinguished alumna awards from both schools.

In October 2013, Ms. Williamson was appointed to her current position after serving as president and CEO of the Louisiana Association of Nonprofit Organizations and Cabinet Secretary for Louisiana's Department of Social Services.

In less than 2 years in her position in Utah, Ms. Williamson has overseen the State's successful efforts to obtain a Federal title IV-E waiver and the launching of a child welfare demonstration project, HomeWorks, which aims to reduce the use of foster care, recurrences of child abuse and neglect, and the need for social services intervention.

I welcome each of our witnesses to the committee here today, and, as we proceed to opening statements, I urge you to keep your remarks to the allotted 5 minutes if you can.

So we will start with you then, Ms. Killett.

**STATEMENT OF SANDRA KILLETT, PARENT ADVOCATE,  
NEW YORK, NY**

Ms. KILLETT. Good morning. Thank you, Chairman Hatch, Ranking Member Wyden, and members of the committee, for the invitation to be here today. My name is Sandra Killett. I am a divorced single mother who raised two sons, who are now 22 and 20 years of age. I reside in New York City, and I am currently employed as the executive director of the Child Welfare Organizing Project. This is a self-help advocacy organization of parents who have been affected by New York City Children's Services.

Today I am here to share insights gained from my own experience as a parent impacted by the child protection system, as well as the perspective of hundreds of parents whom I have worked with and other organizations, including the New York City Coalition for Child Welfare Finance Reform, Birth Parent National Network, and some other parent organizations. Some of these parents are here with me this morning. I will tell you that they did not have the luxury that I had, and that was to come here last night. They got on a bus at 3:45 a.m. to be here on time for this hearing,

so I would like to say “thank you” to all of those parents who have taken the journey with me.

I would also like to say that I am here on behalf of numerous hundreds of parents across the jurisdiction pertaining to child protection. And we would like to call it and see it be a child welfare system in true reality.

I am a parent who has been affected by the child protection system, again, I say. It has forever changed my life as well as my sons’ lives. This is a system, as you have already heard in the opening statements, that has really for me destroyed a stable family, forever left our family traumatized from this experience.

As a single mother, I relocated to New York City from Atlanta, GA with my two boys. They were young, and we relocated to New York due to financial hardship. All of my family supports were in New York City. It was difficult for my two boys. They left their dad, but their dad traveled back and forth to New York City from Atlanta to be there for them.

My oldest son is the one who generated the contact with New York City Children’s Services. His name is Tre. He found it most difficult. He was raised with his dad, and, of course, as you can imagine, it was a disruption in the family.

I sought help and support for my family challenges. My son was attending family counseling, and we were getting some supports that we needed. But I can tell you that the move to New York City and the separation from his father was difficult and it was challenging, thereby generating some aggressive behaviors from my son which I continuously sought help with.

I began to ask every week about individual services for my son. I was told that those services were not available immediately; we were on a wait list. We stayed on the wait list. Before we could actually get off of that wait list, there was an altercation that occurred between me and my son. He was at the age of 13. Before that altercation actually occurred, I will tell you that the outbursts that were occurring in my household had me retreating to my bedroom with my youngest son in fear of what would happen. Did I know what would happen? Absolutely not. But pushing forward, an altercation did occur.

At the time of this incident, I did reach out to New York City Children’s Services for assistance. I did not receive the assistance. Instead, I received an investigation into my household, and that investigation was very intrusive, and I absolutely say an “investigation” because that is what it was. My family was asked questions that I thought were not necessary. My sons were asked questions about how I parented them, whether or not I disciplined them, and how I disciplined them.

I will tell you that I found this out later from my sons when they told me this. I was surprised that Children’s Services was not interested in what actually occurred or how I had come into their office for assistance.

So I know that time is moving forward for me. What I would like to do is highlight for you three recommendations on how to improve services for families at risk and/or already involved with the child protection system.

Child welfare funding needs to be realigned to support a broad array of community-based prevention and early intervention services to strengthen families and keep families together. Promoting a supportive, non-punitive approach can help families at risk keep their children at home. Partnering with parents to work and support other families before and during any involvement with the child protection system and/or the courts can help families stay strong and safe and quickly reunify. I believe that most parents want to be good parents but may need some help and assistance along the way.

In conclusion, I ask you to take action to make all children at risk protected and help their families and communities build protective factors to ensure that their children grow up in a healthy and safe, nurturing home.

Thank you for allowing me to share my experience and the voices of many parents who have come in contact with the system whom I bring into this space with me this morning at this very historic, I believe for me, time. I think that, unless you really know what it is like to be separated from your family, your children, and that bond forever broken between not only mother and child but between siblings, between extended family, having a grandparent not be able to see their grandchild because they have not been cleared by the system, having an aunt or an uncle not be able to visit or have an overnight stay with their niece or nephew, not being able to give input into the growth and development of your son or child, you cannot know what an enormous—enormous—traumatic experience it is for every single family that has gone through it.

I will tell you that, although we have come through it—and I believe that we are coming through it—there are good days, there are bad days, but I will tell you, I still hear families today, every day, based on the work that I do in the organization, that talk about the horrendous experience that they had with a foster care system that does not understand who they are as a family, does not understand where they come from in a community, and does not understand the burden that is brought upon them to do things that no other parents or household would have to do in order to reunify with their children. And I say to you that parental rights are often terminated at a point as though they are water running from a faucet; that is how often that is happening, where parents are actually losing the rights to their children.

So I implore you to really hear us, listen to us, and I say that—you actually have been listening, but I think that there has to be an action, and the mind-set of what we feel, how we feel about families that we come in contact with that might be in crisis, should be seen differently.

And I would like to say—I know I have some time remaining—but I think that I have done justice here, and I thank you so much for inviting me and hearing me. And I hope that this testimony does something for us to have a child welfare system that truly will impact families and children, help them to be strong and safe and nurtured in their own communities.

Thank you so very much.

The CHAIRMAN. Well, thank you, Ms. Killett.

[The prepared statement of Ms. Killett appears in the appendix.]  
The CHAIRMAN. We will turn to you now, Ms. Burton.

**STATEMENT OF ROSALINA BURTON, FORMER FOSTER YOUTH,  
ESCONDIDO, CA**

Ms. BURTON. Thank you. Chairman Hatch, Ranking Member Wyden, and members of the Senate Committee on Finance, thank you for inviting me to share my story and talk about some of the issues that I know affect many young people in the foster care system.

My name is Rosalina Harmony Burton. I am 23 years old, a current intern with FosterClub, and a mental health worker at San Pasqual Academy, a residential facility for youth in Escondido, CA.

Before I worked at San Pasqual Academy, however, I was one of their clients for 14 months. I spent most of my childhood in the San Diego County foster care system. I was in and out of foster care, experiencing 12 years of care in more than 23 different placements. I eventually aged out of congregate care, and I am still hoping to find my forever family.

My most memorable placement was in kinship care with my great aunt, with whom I lived a year and half. At this time, I was 3 years old, and my mother was pregnant with her eighth and final child. I was her fourth.

My six siblings and I had been removed from my parents' care for the first time after my mother went away to receive treatment for addiction and my father was reported for neglect. My siblings and I were taken to an emergency shelter. Then one of my sisters and I were soon placed with my paternal great aunt.

My great aunt was a prepared woman, and living with her gave me a sense of stability, love, and normalcy that I unfortunately never experienced again. Eventually, all of my siblings and I were reunified with my parents who relapsed on drugs shortly after.

Over the next several years, my siblings and I would reenter care several times after multiple failed reunifications with our parents. At some point, my siblings began to have different cases and different social workers. Things got really confusing. We no longer went to the same court dates or had the same permanency plans. At no point during any of my reentries into foster care was kinship care brought up as an option again.

I come from a big family. I am one of eight, and we are part of an even bigger extended family. My father is one of nine. While living with my great aunt, I saw my siblings and parents regularly. I felt close to them and desired their presence in my life. Later, after we were scattered throughout foster care and group homes, my close-knit sibling group became strangers to each other. Before entering care, my siblings and I took care of each other because we had to. But once our environment changed, bonding became optional, and that history became obsolete. By the time I was 13, I often worried that if one of my siblings were to pass, I would not have anything to say at their funeral because I did not even know who they were anymore.

I can view the multiple reunifications as proof that my parents wanted to be a part of my life. My reentries into foster care are also proof that they did not know how to keep me safe and care

for me and my siblings effectively. Entering foster care is a traumatic experience for all parties involved. My father felt invaded, because he was raised in a family where what happens in the home stays in the home. My mother felt revictimized, haunted by her own experience in foster care as a child. Her own struggles with abandonment, broken family ties, and abuse, along with a lack of addiction and mental health services, led to my multiple reentries into care. For many years, my mother struggled to get and stay clean. Her battle with mental illness and her inability to financially support eight kids, along with her dependence on an abusive man, made it particularly impossible to take care of us.

My life became a vicious cycle of neglect and instability. Eventually, my parents' rights were terminated when I was 15 years old. By the time my mother had finally figured out how she could maintain a house, her sobriety, and work on her mental illness so that her children were returned, the damage was done. I was no longer the kid who just wanted to be home with her mom and dad. I was a budding teenager suffering with depression and anger.

Mandatory individual and family counseling before and during reunification, along with financial assistance, could have played a huge role in a successful reunification. Such therapy, combined with the substance abuse treatment my mother received, could have helped her identify childhood traumas that affected her parenting and substance abuse.

I also imagine that had my mother received preventative and ongoing services from professionals who understood mental illness and saw her as a victim and not a drug addict, my siblings and I might not have needed to spend so much of our childhood in foster care. We need to provide support for preventative services, such as intensive counseling and financial assistance that help kids stay with their families, and continue to support these same services after reunification.

Children, youth, and their parents need help understanding and processing the damage time away from each other can have on relationships once they are reunified. We should support kinship placements for children who need to be removed from their homes so they can stay connected to their families.

Today I work at an amazing group home, but I recognize that, as hard as they try, group homes will never be able to give youth all the things that a loving family can—not at graduation, not during your first pregnancy, and definitely not at your 30th birthday. Group homes are temporary. Families should be forever.

Thank you.

The CHAIRMAN. Well, thank you.

[The prepared statement of Ms. Burton appears in the appendix.]

The CHAIRMAN. Ms. Butts, we will take your testimony.

**STATEMENT OF DONNA BUTTS, EXECUTIVE DIRECTOR,  
GENERATIONS UNITED, WASHINGTON, DC**

Ms. BUTTS. Good morning. I am Donna Butts, and on behalf of Generations United, home of the National Center on Grandfamilies, I am pleased to provide testimony, and I applaud Chairman Hatch, Ranking Member Wyden, and the committee members

for your leadership in holding this hearing on preserving families and reducing the need for foster care.

Every child deserves to grow up in a safe, stable, and loving home. For about 7.8 million children, that family is headed by kin—a grandparent, aunt, uncle, or close family friend. The issues facing these families are varied and complex. They are, however, united by one common factor: they believe beyond a shadow of a doubt in the importance of family. They believe children fare better when they are raised in a family, not a system, and they are right.

Despite the challenges facing grandfamilies, children fare well in the care of relatives. Compared to children in non-relative care, they have more stability and are more likely to report feeling loved. Federal law affirms and research confirms that relatives should be the first placement choice.

Kinship families are diverse, but the degree to which they receive needed supports and services is tied largely to the way the children come into relative care. Children outside the foster care system receive little to no services and benefits compared to children in the formal system. Congress should act to ensure that all children in relative care receive the support they need to thrive regardless of the circumstances that brought them to live with a caring relative.

Over a quarter of the foster care system already relies on relatives. Congress has enacted several provisions to ensure and increase relative placements and provide waivers which allow the use of Federal dollars to support grandfamilies and promote prevention. We salute these and encourage efforts to further strengthen these and better support kinship families.

Today I will focus on four areas which are discussed in much more detail in my written statement. I am going to focus on: notice to relatives, licensing, prevention, and trauma-informed supports.

First, notification. We recommend changes to help ensure that relatives receive notification with clear information and assistance so they can digest their options and make the best decisions for children. Recent law requires States to identify and notify relatives when a child is removed from home. They are to be told their options under the law, including any options that may be lost if they fail to respond to the notice. Anecdotally, we hear that caregivers know very little about this requirement, and for those who do, many say it was presented in a confusing and even threatening way.

Second, licensing. We recommend that Congress direct States to assess and make any necessary changes to their existing licensing standards using the new model family foster care standards from the National Association for Regulatory Administration. Until now, there have been no national family foster home licensing standards, so they vary dramatically from State to State and often pose unnecessary barriers. This results in appropriate relatives denied licensure, causing children to be placed unnecessarily in group settings or foster homes.

For example, JJ and his two brothers and little sister went to live with their grandparents when his father's drinking got out of control. His grandparents wanted to provide a safe and loving home for them, but they struggled against the clock to make the required changes to their home so they could meet State require-

ments and be able to continue as a stable, unified family. JJ's grandparents had to file for bankruptcy because of the cost to make their home comply with foster care standards. It was a home filled with love, but not enough bedrooms.

Third, prevention. We recommend support to identify and evaluate promising practices. For every one child in foster care with a relative, there are about 23 outside the system being raised by a relative or close family friend without a parent present. These families save taxpayers more than \$4 billion each year by preventing children from entering foster care. Under current child welfare financing laws, these families receive little or no preventative or supportive services to keep them together and out of foster care.

Fourth, trauma-informed supports. Generations United recommends urging States to ensure that kinship families have access to the same level of therapeutic services as non-relatives. Many grandfamilies report emotional rewards that come from caring for the children. They also often experience challenges. These can be even more daunting when caring for kids who have experienced trauma, which often leads to complex mental health and behavioral issues. Therapeutic foster care provides residential-level services for children and youth in a family setting with specially trained caregivers. Too many kinship families are not offered these supports and are left to manage serious mental health needs on their own.

Flexible funding sources are also needed to fill the service gaps for kinship families outside the system. The important role of Federal funding streams like TANF and social services block grants in supporting children in relative care must be recognized.

Poet Maya Angelou, raised in part by her grandmother, said, "Today, people are so disconnected that they feel they are blades of grass, but when they know who their grandparents and great-grandparents were, they become trees, they have roots, they can no longer be mowed down." All of America's children deserve a way back home, a way to remain with the roots—the families—that grow our country's strong, productive, and contributing citizens.

Thank you for this opportunity to offer testimony, and I look forward to answering any questions. Thank you.

The CHAIRMAN. Well, thank you so much.

[The prepared statement of Ms. Butts appears in the appendix.]

The CHAIRMAN. Mr. Nyby, we will turn to you.

**STATEMENT OF CHARLES NYBY, DIFFERENTIAL RESPONSE AND SAFETY OPERATIONS AND POLICY ANALYST, CHILD WELFARE PROGRAM, OREGON DEPARTMENT OF HUMAN SERVICES, SALEM, OR**

Mr. NYBY. Thank you. First of all, let me just express my appreciation to Chairman Hatch, Ranking Member Wyden, and the committee for the opportunity to be here to speak in front of you today.

I just really planned to talk about my experience in 13 years working in the child welfare system: where I have been, what I have experienced, where we are today, and where we are going.

When I started working for Child Welfare right out of college, I was absolutely not prepared for the challenges of the work. And when you listen to the testimony previously provided, part of what

I found my job included was, not just learning rules and procedures, but how to overcome the perception of the system with the families, with kids in the community that I worked in. And I had a variety of experiences with the foster care system and the systems around kids in foster care.

Early in my career, it seemed like we used foster care as a solution for kids when they were not safe in their home. And what I observed is that it often felt like a consequence. And I was really naive. I thought that when kids were experiencing abuse and neglect in their home, they would want to leave, and I thought they would not want to go back until things had changed. But what I found is that kids would run away from foster care. They would live on the streets. They would go back to homes where they came from because they preferred that. And it was a huge learning experience for me as a caseworker to understand the impact that foster care had on kids, even when they were experiencing abuse or neglect at home. And I started to question the work I was doing.

So in 2007, Oregon adopted a safety model which promoted the least intrusive intervention, using foster care as a last resort. But despite my personal excitement, changing any system can be slow, and I found it has been a slow process in Oregon since that time, and I have experienced this inside and outside of the child welfare system.

That same year, I became a supervisor, and I supervised the Child Protective Service Unit for the next 5½ years. That was a really challenging job. Workers work late hours. They work in the evenings. They work on weekends. And as a supervisor, I had to be available to them. And one of my biggest challenges was trying to help them make decisions for work that I was not doing. And what I found to be a common challenge in those decisions was fear, and fear that something bad would happen to a child, fear that we would intervene and take a child into care when we did not need to, fear of ending up on the front page of the paper or even losing our jobs. And that fear is real, and I witnessed this. I supervised cases that were high-profile cases, and it was extremely challenging in the field not to let 1 to 2 percent of the cases that we see affect our work with all the families that we interacted with.

During my time as a supervisor, I saw services start to come into place. There were more up-front services available to families. We were able to start working with families and keep kids safe at home. But there were gaps in those services, and without filling those gaps, the challenge remains for Child Welfare to work with families in a way that keeps kids safe at home if families are not getting the support that they truly need.

In 2013, I took a job as an operation and policy analyst in Oregon to help implement Differential Response, and I have been doing that since that time. And in our State, Differential Response is supported by legislative services that are focused on “strengthening, preserving, and reunifying family services.” And I can say that in the past 2 years, I have felt more energized about and excited about the work I am doing than ever before.

The practice model now comes with a service array providing flexibility to help families in a way that we have never had, and

foster care is slowly becoming what it was intended to be, which is a safety service that we use as a last resort.

But change takes time. I think we are making progress. But it is my opinion that, in order to continue that progress with child welfare reform, changes need to be made in the way the child welfare systems are funded.

Just like families, systems need flexibility, and Oregon has had a title IV–E waiver for a number of years. It allows the State to spend Federal foster care dollars more flexibly. Any waiver savings are matched and used to finance the expanded service array. And it has allowed Oregon to increase services in communities as well as increase the array of services available for families. I understand that it is set to expire in 2019, and I worry that without a legislative change, our ability to invest in these front-end services will be reduced, and funding Child Welfare primarily through foster care placement does not support families in the way that the system ought to.

I just want to close by saying my journey as a caseworker and as a supervisor, I would not trade that for anything in the world. Working at that level has helped me understand the challenges that families and children who interact with the child welfare system face in our community. It has trained me to help families, caseworkers, and supervisors see solutions and see possibilities, look at things differently. And I understand that working for Child Welfare will always be a challenging job. There will always be stigma involved in the system, but it comes with great reward when we can be successful.

So I just want to thank everyone for the opportunity to speak here today.

The CHAIRMAN. Well, thank you very much.

[The prepared statement of Mr. Nyby appears in the appendix.

The CHAIRMAN. Ms. Williamson, we will finish with you.

**STATEMENT OF ANN SILVERBERG WILLIAMSON, EXECUTIVE DIRECTOR, UTAH DEPARTMENT OF HUMAN SERVICES, SALT LAKE CITY, UT**

Ms. WILLIAMSON. Chairman Hatch, Ranking Member Wyden, and members of the Senate Finance Committee, thank you for the opportunity to appear before you representing the Utah Department of Human Services. In Utah, we value not only what is in the best interest of children, youth, and their families, but also what is cost-effective. Several facts about Utah's child welfare model illustrate the strengths of our approach.

With one of the Nation's highest percentages of minors per capita, Utah has one of the lowest entry rates into the foster care system: 3.1 children for every 1,000. The national average is 6.1.

The average length of stay for a child in foster care is 10.4 months, and the national average is 13.4 months.

Following changes that allowed Utah to successfully exit a settlement agreement, our system was touted for its effectiveness. We incorporated family team meetings, had rigorous qualitative case and process reviews, and established an independent Ombudsman's office and a Fatality Review Panel.

In recent years, we identified the need to build equally effective in-home supports to safely keep children with their families, reducing the need for foster care.

Regardless how well a foster care system operates, the fact remains that children are best served in homes, with families, familiar schools, and community. The voice of one brave young woman who aged out of the foster care system prior to our recent changes underscores the opportunity we have to do better.

As a young child, Beth was removed from her mother's care for the neglect that resulted from her mom's untreated mental illness. Instead of remaining in her home with parenting and behavioral supports, this child was swept into a perilous journey between multiple foster homes, the juvenile justice system, truancy, and homelessness.

When asked why she continued to run away from foster homes, Beth plainly said it was to get back to her mother. When asked why she behaved so poorly, she expressed feeling out of control and without a voice. Fortunately, the positive influence of her final foster father and caseworker's influence resulted in Beth graduating from high school, getting a job with Child Welfare after college, and enrolling in law school. Hers was a rare success story in that era. Her insights are profound and motivating to us today, because we know we can do better. We can avoid this kind of human and financial cost, and as the measured results of our current practice prove, we are doing so.

Poet Maya Angelou's words concisely describe Utah's commitment to serve: "Do the best you can until you know better. Then when you know better, do better."

With research, social science discoveries, and evidence of trauma-informed care, Utah believes we can better serve the short- and long-term interests of those in need of child welfare. Supporting safe care for children in their homes without separating them from their family in foster care is less traumatic and less costly. Additionally, a multi-generation approach proves to be more effective in breaking cycles of dependence on prolonged, expensive government programs.

The opportunity to apply for a title IV-E waiver was ideal for Utah. Our demonstration project called HomeWorks was implemented in late 2013 and is being replicated State-wide through this year.

We are able to invest Federal funds towards supports that have much greater value, not only to keeping children safe with their family but also to the taxpayers receiving a greater return on the dollar.

For the average cost of serving one child in a foster care home for 1 year, we can serve 11 families through HomeWorks. And for the average cost of serving one child in a group congregate setting for 1 year, we can serve 34 families through HomeWorks. These are compelling proofs of the sound business of this practice, while the humanitarian merits of investing to keep children safe with family make this approach essential.

We worked recently with the family of Jim, who was on track to enter foster care. He was failing in middle school and had exhibited repeated aggression toward his parents, with behavioral outbursts.

Applying the HomeWorks model has preserved him safely in his home and offered peer parenting. Additional extended family are engaged, and his school counselor and behavior therapist are working to support Jim.

This is one of the more than 1,000 families we have served through HomeWorks. That waiver has allowed us not only to assist an individual family, but to work with multiple families for long-term behavioral change that reduces the risk of repeat maltreatment and ongoing involvement with government interventions.

Evidence-based tools include structured decisionmaking, caseworker training, consistent assessment, and more staff time with families as well as community supports. Early results are positive.

We respect the temporary nature of the waiver and the time-limited opportunity we have to learn from the State's practice. Utah is focused on shoring up what we have begun. Therefore, thank you, Senator Wyden. The Family Stability and Kinship Care Act proposed is an encouraging measure.

We would like to see financial investment in child welfare practice informed by evidence. The key components of the proposed bill reinforce Utah's experience. Federal statute that emphasizes early intervention, family development, and local partnerships that cultivate community ownership for a child's well-being will strengthen this country's child welfare system and benefit our citizenry in total.

We seek to partner with you to finance a system that strengthens families and is accountable for the outcomes of sustained child safety, well-being, and permanency. We look forward to the alignment of child welfare policy, finance, and practice for the greater public good.

Thank you.

[The prepared statement of Ms. Williamson appears in the appendix.]

The CHAIRMAN. Well, thank you. We appreciate it. This has been a very excellent panel here today.

Let me start with you, Ms. Burton. Thank you for appearing before the committee today and for your extraordinarily compelling testimony here. You are a remarkable young woman, and I am very impressed with all that you have been able to overcome. And I am so sorry that the foster care system so obviously failed you and your brothers and sisters.

Now, you were in the foster care system on and off for 12 years, as I understand it. Is that correct?

Ms. BURTON. I spent a total of 12 years between my reunifications and care.

The CHAIRMAN. My question to you is, what are your suggestions for congressional action that could improve the foster care system?

Ms. BURTON. I think it should be required that States have a plan for a child right away. So, if they believe that the situation can be mitigated, they should do that, provide the services before they enter care if possible or as soon as possible when the child enters care so they can return home in a short period of time. Kids are spending too much time in limbo, and then damage is created that affects the whole family so that, when they do reunify, it is not a successful reunification.

The CHAIRMAN. Well, thank you.

Ms. BURTON. Does that answer your question?

The CHAIRMAN. That does. That will be fine.

Ms. Williamson, I want to thank you for appearing before the committee today and for your testimony. I would like to take this opportunity to acknowledge the great work done by two extraordinary members of your team: Brent Platt and Cosette Mills.

Ms. WILLIAMSON. Absolutely. Thank you.

The CHAIRMAN. My staff have worked with them and you for many years, and we are deeply indebted to each of you for your expertise, professionalism, and willingness to engage.

Now, I was pleased to have been one of the authors of the legislation to allow up to 30 States to receive a child welfare waiver, and as you testified, Utah was one of the very first States to apply for a child welfare waiver. As you know, all child welfare waivers expire in 2019, and I believe that we should build on what we have already learned through State innovation relative to these waivers to craft policies that can benefit all States.

You have testified that because Utah is able to use certain Federal dollars to provide front-end services, Utah is able to realize considerable savings. Would you elaborate on how Utah is able to target resources in order to achieve these savings?

Ms. WILLIAMSON. Thank you so much, Senator. It would be my pleasure.

Indeed, what Utah recognized was that the expense that was costing taxpayers of Utah was for poor outcomes for youth—namely, long stays, extended stays, in the foster care system, and too often in the deepest end of the foster care system, with residential congregate care. As mentioned, it only costs about, on average, \$2,400 to keep a family stable and together in the home for a year—\$2,400 to serve a family, keep children safe, and facilitate long-term behavioral change; whereas, the average cost per year for one child in a congregate care facility is over \$83,000.

So the financial logic of focusing our services and our efforts on early in-home intervention services has naturally allowed us to then have these dollars go farther because we have reduced our reliance on long-term intensive congregate care.

The CHAIRMAN. Well, thank you. I think those are startling figures.

Mr. Nyby, I want to thank you for appearing before the committee and for your thoughtful testimony as well. As I indicated in my opening statement, I believe strongly that we should reduce the reliance on foster care group homes. In order to do that, we must also improve efforts to keep children safely at home as well as strengthen the more family-like placements for children and our youth when a child cannot remain safely at home.

Oregon has one of the lowest rates of children and youth living in foster care group homes. Can you share with the committee how Oregon has managed to safely reduce the reliance on foster care group homes?

Mr. NYBY. Well I think, being from Oregon, one of the strong commitments that Oregon has made is to reduce foster care across the board—not just group homes but across the board. And I know that the way that we train our caseworkers and supervise them is

to really use foster care as our last resort, to give priority to relatives. I think Senator Wyden's comments earlier about the priority of relatives is something that is well ingrained in our culture and in our practice, and relative placements are something that we prioritize over foster care or group homes. I think those are viewed as our last-resort options, and they are not viewed any more as solutions for kids.

The CHAIRMAN. Well, thank you. My time is up.

Senator Wyden?

Senator WYDEN. Thank you very much.

Ms. Williamson, I do not want to make this a full bouquet-tossing contest, but let me share Chairman Hatch's comments with respect to the good work that you all are doing. That is astounding, to be able to get the rate of return that you described, and I just want to be clear, particularly with your kind words about the legislation, the Family Stability and Kinship Care Act. The whole point of that is to say once and for all that the flexibility you are talking about is going to be permanent. That is the point of where we ought to go for the future and IV-E and our challenges. So I really appreciate the good work you are doing.

Ms. WILLIAMSON. Thank you.

Senator WYDEN. Let me see if I can get a couple of points in. Mr. Nyby, you have, in effect, run the gauntlet in terms of your services in the field, and I am not sure we have given you a chance to say what services you think are most important, because that is what we are going to have to do here. We are going to have to find our way, given the fact that resources are tight, to say, all right, there are some choices to be made, here are the ones that are the real show stoppers, these are the ones that are going to make a big difference for families and kin. Tell me, if you would, what you think those services are.

Mr. NYBY. Absolutely. Thank you. Well, I think the services that would help are services that would prevent or avoid further or more intrusive intervention from Child Welfare. What we see—and I do not have data or statistics to share, but I can tell you that drug and alcohol abuse treatment is a really important service. A lot of families—the systems set up to help them are complicated, the bureaucracies are complicated. They need help understanding where to go for help and how to get there and how to navigate a court system, how to navigate a transportation system—services that, you know, assist with general challenges around poverty and housing, child care.

In Oregon, one of the primary services that we have through the strengthening, preserving, and reunifying families services, as we call them, is “navigators,” parent advocates who help parents navigate the system. It is a very complex system, and they sometimes have to navigate it multiple times.

We know that domestic violence is a challenge, and so we also advocate for people—women, primarily, who are experiencing domestic violence. I think those are some that I can think of offhand.

Senator WYDEN. Well, you are doing a terrific job, and I look forward to partnering with you in the days ahead.

Ms. Butts, let me talk to you about kinship care, because I look back at those debates in the 1990s, and the seniors said then that

they thought kinship care was going to make a big difference. We sort of unleashed them on some skeptical legislators, and we were able to get the law that I described passed, giving, in effect, families and seniors the first preference.

I think by anybody's calculation, that first kinship care law has far exceeded what people thought was possible, and you gave some numbers as well about the extraordinary role that kinship care plays.

So I guess the question really becomes, if you had to name one big step for the future on the kinship care side, what would it be? Because I have sort of a set of choices. I know at one of our earlier hearings we heard about an older parent, really a grandparent, who wanted to take care of a child, and they were told, even though they had a wonderfully comfortable place to stay, because it did not have the exact number of bedrooms, they were completely disqualified.

I do not know if I can turn my last set of ideas into getting rid of mindless bureaucracy and how you right that—and I see Ms. Williamson nodding as well. But let us say you get one choice for the next step on kinship care, which has been, because of your work and the work of seniors and parents everywhere, a great success. What is your next step?

Ms. BUTTS. Thank you, Senator Wyden. We really appreciate the role that you played in championing older adults and relatives as the caregivers for children. We have been through those battles together and seen the change from country club grandmothers who were only in it for a few dollars to realizing that family believed deeply in family and they want to support those family options.

We also know that that is one of the reasons why we believe that it is important to look at the licensing standards in States because, I do not know about you, but I grew up in a family of six with three bedrooms. I shared a bedroom with my sister my entire life. And to think that relatives cannot figure out how to make do with a little bit less space, with a little bit less, does not make any sense. We need to take that into consideration.

I think that the bill that you will be introducing goes a long way in helping to understand that the grandparents need those supportive services to be successful, and I think that that is what you and many of us have advocated for. They need to know what services exist, which they can find through navigator programs, which have been proven to be very successful in the States. They need mental health services because of the children who come into their care who have been through different traumas, different situations, and they need that kind of support. But it is understanding that, just because they are family does not mean that we leave them on their own. We need to support them. We need to provide preventative services. So I think that that is the next step.

Senator WYDEN. Thanks very much for your years of good work, and I would just like to note, Mr. Chairman, that as we go forward under your leadership to work on this in a bipartisan way, the ideas that this panel has offered, these are not big, expensive kinds of proposals that they are making. Nobody is going to say this is going to break the bank. Nobody is going to say that some huge new titanic bureaucracy has to be built.

So you have been a terrific panel and really, I think, teed it up ideally for us to go forward and do some legislating in this area around your ideas, and I thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you, Senator.  
Senator Stabenow?

Senator STABENOW. Well, thank you very much, Mr. Chairman, and thank you, Senator Wyden, for your efforts on kinship care. It is my pleasure to be co-chairing the Foster Youth Caucus with Senator Grassley and to work with everybody on the committee.

And thank you to each of you for being here. It takes a lot of courage to tell your story, and I am very appreciative. I have actually worked on these issues a long time. I was thinking about it; it makes me feel old. I was back in the Michigan legislature and in the 1980s authored foster care reform that was dubbed “the Stabenow bill” that was put into law to move the system more quickly, and I am incredibly frustrated that we are still talking about these issues, because we have two sets of problems. One is what happened, Ms. Killett, when the system failed you, and I am sorry that that happened to both you and Ms. Burton. The system just plain failed you. And we have a situation where people get caught up in the system and then cannot bring their children home or kids cannot go home, there is not the support for that. And then by the same token, we have the other end, which is very serious abuse and neglect where kids also get caught up on both ends of these things.

And so I am very concerned that, one way or the other, foster care be temporary and move people either back home—ideally never leaving the home, but if they are in foster care, move back home or move to a permanent family, one way or the other, instead of being caught in limbo, Ms. Burton, like you were over and over again. And thank you for your eloquence.

Mr. Chairman, I do want to say that, as we listen to all of this and the cost-effectiveness that Ms. Williamson talks about—and we know these things do not cost a lot of dollars. But we are about ready to go into a debate on the budget where there is great willingness to add monies to the Department of Defense. But we are not yet at a bipartisan agreement on how to defend our families—things that we can do that will make a tremendous difference. And so I hope when we go into discussions about appropriations, we will remember what we have heard here.

Senator Blunt and I were very pleased to be able to offer a pilot project to address mental health and substance abuse in the community that will allow eight States to dramatically increase what they do. But it is eight States. It is not 50 States. And it would not take a lot to make it 50 States.

And so, I appreciate that we were able to move forward on a pilot, but my frustration is that there are things that we can do, we should do; we just have to want to do it. And I hope you will help us be able to want to do it.

I do have a question for both Ms. Killett and Ms. Burton regarding one piece of this that I have worked on. I am pleased to be co-sponsoring a bill with Senator Baldwin and Senator Portman on family-based foster care services and the whole question I have been working on, therapeutic foster care, what can be done on that

front. I wonder if you might speak a little bit in support of therapeutic foster care and family-based foster care services.

Ms. KILLET. So, Senator Stabenow, I cannot say that I can speak directly to therapeutic foster care, but this is what I can speak to. What I can speak to is that if my son had received actual in-home intensive therapy, which I guess you could call “therapeutic,” he would not have gone into foster care, right? So that is the intensive therapy that would have been needed.

And therapeutic care in foster homes—you would say that foster homes need to be thoroughly trained about the youth or the young person they are going to be receiving into their household. So they would need to know what has been going on with the youth, where they have come from, and how that has impacted them.

And I will tell you, something as simple as removing a child from a home and placing them in another home has a dramatic impact. So they may not have had any type of issues other than maybe something that was going on at home, sometimes with the parent and sometimes not, right? But when they come into the system, they develop all of these behavioral issues.

So I will have to go back and say—and I plead with you again. I will go back and say this: my household, that was a stable household. We were secure. Our protective factors were in place. We knew, I knew, exactly what was necessary and needed for my family. We did not get that, and because we did not get that, you, me, taxpayers, paid an enormous amount of money for me to go through the criminal court system, the family court system, an attorney, an attorney for my child, and remain in foster care and still end up not getting any of the services that we needed as a family, destroying a sibling relationship in which the younger brother becomes withdrawn, now he has to go into therapy.

I know you asked me about therapeutic care in foster homes, but I can tell you that if that foster home does not get the very things that I needed in my home, we will be looking at the same thing. So essentially, across the board, families need what families need, and I can echo every single thing that was said across the board for the families that I come in contact with and what they share with me about what they need. We work with parents, foster parents, and youth. And I will say to you, the system is not kind to anyone.

Senator STABENOW. Well, I appreciate that. I know my time is up, Mr. Chairman. I hope we will have the political will to do the things that all of you are talking about, because it is not rocket science. It is just a matter of our being committed to do it. So thank you.

The CHAIRMAN. Thank you.

Senator Bennet?

Senator BENNET. Thank you, Chairman Hatch. I deeply appreciate your holding this hearing with Senator Wyden. There is a lot of work for us to do here. We have to find a way to reduce the use of congregate care settings and encourage States to adopt best practices to find families for our children.

One of the key themes throughout this hearing is to invest in prevention. What this means for us here in Congress, I believe, is that we need to look comprehensively at both reducing the number

of children in congregate care and investing in families to prevent children from ending up in foster care to begin with, and group settings as well.

That is why I am introducing a bill today, the All Kids Matter Act, which will give all States the ability to invest in prevention efforts for families on the front end before our Nation's children end up in the foster care system. And for the 400,000 children in and out of our Nation's foster care system, we have built in additional accountability and transparency measures for States to reduce the number of children in group homes. We know children do best, as the panel has said today, when placed with individual families, when placed with their own family.

In the coming months, I look forward to working with the committee to produce a bipartisan product that will elevate the conversation about our Nation's most vulnerable children. So I am grateful for the attention that we are placing on this issue.

Ms. Burton, I want to start with you. I wonder if you could describe for the committee the experience that you and your siblings had with the education system as you were going through this foster care system. How did you and your family do with schools?

Ms. BURTON. Great question. In my written statement, I go into a little more detail about each one of my siblings—I have a lot of them—but about half of us graduated from high school, and the other half did not. I have one brother who graduated from UCLA, and he is actually now a campaign manager, so he is doing really well for himself. [Laughter.] So if you guys need anybody—

And two of us are currently in college. And education was really hard for me. I experienced six different elementary schools, five different middle schools, and five different high schools. But I went back to some of them a couple times. So it was really hard to stay focused and motivated. Thank you.

Senator BENNET. Thank you.

Mr. Nyby, you mentioned at the end of your testimony that in the last couple of years in your new role, you were able to discover flexibility that you have not had in the past. I wonder whether you could describe that in a little more detail for the committee. And to the extent that flexibility has resulted in prevention efforts with families, we would like to hear about that too.

Mr. NYBY. Absolutely. Thank you. Well, the flexibility has come from Differential Response, and what that does is, it redesigns the front door of Child Welfare, so that when families are reported to us, we do not treat them all the same way. So, essentially, the more severe allegations of abuse or neglect are assessed in a more traditional manner, and reports that involve less or more moderate severity are assessed with the family. And it is not done to them, it is done with them. And we really try to partner with the family to let them drive the assessment.

The other thing that it brings is, in both scenarios, we have the ability as Child Welfare now to provide services without opening a case, without formally getting involved with the family. So in Oregon, we call that "early intervention." You know, the family still has to be reported to our system for us to provide that, but we, with the family's help, can connect them to the supports in their community so they do not have to come back to Child Welfare.

That is fairly new, but essentially, prior to that, the only way Child Welfare could offer services was by opening a formal case in the system, and this allows us to provide those services and really fill the gaps without having to do that.

Senator BENNET. Ms. Killett, it sounds like if that early intervention system had been in place in New York, you may not have faced the kinds of things that you had to contend with.

Ms. KILLETT. I think you are absolutely right. I think that one of the things Mr. Nyby mentioned is that community-based resource services are really the way to go for families. So I should have been able to walk into any community-based program without having entered that door at all, having an investigation.

Senator BENNET. Thank you.

Ms. KILLETT. Thank you.

Senator BENNET. Well, thank you all for your testimony, and thank you, Mr. Chairman, for your attention to this really important issue.

The CHAIRMAN. Well, thank you, Senator Bennet.

Senator Casey is next, and then hopefully we will go to Senator Portman.

Senator CASEY. Thank you, Mr. Chairman. I want to reiterate as well my appreciation for the hearing and for your work in this area over many years, and for Senator Wyden's work and, in particular, his legislation, the Family Stability and Kinship Care Act, which focuses on prevention and getting a set of services to families early in the process.

I was struck by our first two witnesses, Ms. Killett and Ms. Burton, both using the same word at some point in their testimony—"traumatized" and "traumatic"—which I know for some people might seem self-evident in terms of how difficult these issues are for families, but there are a lot of things we do in this committee that involve policy and data and numbers, but few things that we have examined here have the same kind of human gravity and severity to them. So we appreciate you bringing your own personal stories. It is not easy to do, to talk about what you have been through. It is easier to talk about things when they are theoretical and policy-oriented, so we are grateful that you are willing to do that, because without that kind of personal testimony, I am not sure we could sit here and really understand it unless we had gone through it ourselves.

And I also want to say that, Ms. Killett, you also mentioned as one of the strategies you hope we would employ, or part of the strategy—on page 6 of your testimony in the bold headline—"early intervention services" and focusing on meeting the "immediate needs of families." And that idea of early intervention, we saw somewhere or another throughout the whole range of testimony, all the way to Ms. Williamson, and we are grateful that there is some measure of unanimity here on what the strategies must be.

We spend a lot of time in this town focusing on national defense strategy, focusing on terrorists, and focusing on a broader national defense strategy. Even in the tax code, which is part of the work that this committee does, some of the effort is, what is the best way to change or amend or improve the tax code so it will be a strategy to create jobs? What we do not spend nearly enough time on in this

city is, what are the strategies that will work to make the life of a child better? What are the strategies that will work to sustain and support families? And I am going to get to a question because I know I am just talking, but I think we do need a strategy for our kids and for our families.

I guess in terms of our last two witnesses, in terms of practitioners who are, along with others, in the trenches kind of doing the policy work—and I know each of you are to a certain extent—maybe my one question would be for Mr. Nyby and Ms. Williamson. I guess for Oregon it is Differential—I am forgetting my terminology, but—

Mr. NYBY. Differential Response.

Senator CASEY. Differential Response, right, and then Home-Works in Utah. Tell us about what works in both and what you hope we would derive from those two approaches in both States. I know we are limited on time, but if you could just give brief answers.

Ms. WILLIAMSON. If I may, thank you very much. You heard “consistency.” I would highlight evidence-based assessments. There was a mention of evaluating risk then being very purposeful in structured family supports that are directly tied to the risk that was revealed.

The other element I would highlight that is very consistent between Utah and Oregon, as Chuck mentioned, is family engagement, listening to the family. When children and families have a voice and a vested interest in their success and in the case plan that allows them to achieve that sustained safety and permanency, we will realize those outcomes much more efficiently and effectively.

Senator CASEY. Thanks. And I know I am over time, but—

Mr. NYBY. Just quickly, I would just say I would echo what Ms. Williamson said in terms of the different parts. The only thing that I would add is that, in order to support and sustain families, you need a workforce who has the tools available to them to support families. To get it to work and support a family to engage with the system, the system has to bring and offer something that is tangibly and realistically going to help that family. And so, in addition to a practice model and the supports in the community—depending on what community you live in, that has an impact on what is available to you. So you have to fill those gaps in communities to help families.

Senator CASEY. Thank you. I am out of time.

The CHAIRMAN. Thank you, Senator.

Senator Portman?

Senator PORTMAN. Thank you, Mr. Chairman, and thank you all for your great testimony this morning. This has been a fascinating hearing, and I thank Senator Hatch for his long-time advocacy for kids, and specifically foster care kids who are facing issues at home and finding the right place for them. And I know this is not an easy issue, but I think one thing we have learned today in talking to you all is this idea of therapeutic foster care and therapeutic care for kinship parents makes a whole lot of sense. And the cost savings that were talked about were very interesting because there is an assumption out there that it is going to be a lot more expen-

sive to have that kind of intensive care, not just for foster parents, as Ms. Killett talked about, but actually for kinship parents and other caregivers as well.

I have a couple questions that I have just been thinking about, and since we have this extra panel here, I want to get your input first. I have been very fortunate—and Ms. Burton knows this—to have had the Congressional Coalition for Adoption lend us an intern this summer, and Carrie Richmond did a terrific job, and she, like you, has shared her experiences of going through the foster care system. Sadly, in her case, she suffered a lot of abuse in foster care and adoption. But she has come out of it, just an incredibly strong, resilient young woman. And she has helped us to kind of think through the policy issues.

We also have this group back home that I assume a lot of States have, which is the Foster Youth Advisory Board, and it is actually made up of young people who have been through the foster care system. I think that makes a lot of sense.

But here is the thing that has been really bugging me, and I want to get your input on it. There was a sting operation back in 2013—the FBI, nationwide—on child sex trafficking, an issue that I have worked on a lot. I started a caucus on it here; it is bipartisan. We have been doing work on this. But here is the amazing and very sad statistic in that: 60 percent of the victims whom they recovered nationwide from over 70 cities were from foster care or group homes—60 percent of the kids in sex trafficking. And, you know, you think about that—

Does this go to what you are talking about? I mean, not just the fact that in Ms. Burton's case, she has been through the system, in Ms. Killett's case, she has been at the other end of it as a mom, or the professionals here. Is there something that we should be talking about in this regard? In other words, is it less likely that those kids will end up being victims of sex trafficking, being vulnerable, if they are not in the congregate care homes, in the group homes? Maybe I will ask Ms. Burton to start on this, and then if you could respond, Ms. Butts, because I know you had some thoughts on that earlier.

Ms. BURTON. Thank you for that question. It is definitely a part of congregate care because, when you have a child in congregate care, there isn't someone maybe looking for the signs or aware of the signs. There are too many children. The child gets lost. Run-aways are just something that happens. They do not really think about what is happening on the street. And you have a child who is maybe trying to fill a void because they have not received therapeutic services to learn about why they are feeling the way that they feel. They just want to be loved.

There are so many things that we could talk in more depth about that go into a child ending up in sex trafficking, but I will let some other people talk about that, though.

Ms. BUTTS. You are so right. What we say is that a child can age out of the system. They do not age out of a family. So there is somebody who stays with them, who watches, who knows that they are missing, and that makes all the difference in the world.

It is so easy for young people to get lost and to be then caught up in the sex trafficking world. I used to work at Covenant House

with runaway and homeless youth, and we always talked about the “Covenant House suitcase,” which was a garbage bag, and you would see a kid being homeless, being kicked out of their home, and all they would have is a garbage bag, and nobody cared where they were going.

With a family—they are much more likely to forgive, they are much more likely to take them back, they are much more likely to let them sleep on the couch when they do not have any place to be. So that family, finding that family, notifying that family, is critically important.

Senator PORTMAN. Well, thank you for that response. We talked earlier in Senator Stabenow’s questioning about this legislation that we have introduced. It is Senator Baldwin, Senator Stabenow, and myself, and it is called the Family-Based Foster Care Services Act, and one of the things that we are trying to do here is to create a standard, a national standard, for what is therapeutic foster care, because our sense is that, you know, each State does it a little differently.

My question to you is: how can a uniform definition of “therapeutic foster care services” promote better quality of care and also more accountability in the training of staff and foster care parents? Does that make sense? And since I am getting to the end of my time, maybe Mr. Nyby and Ms. Williamson, since you have not responded yet, or Ms. Killett, could give us a response to that quickly, but then also, if you do not mind sending me a written response, that would be very helpful. And look at the legislation—I am sure most of you have already—and tell us what you think about this idea of coming up with a uniform definition.

Ms. KILLETT. I do not have a uniform definition, but I would like to say that I would like to follow up with a written response, because I think it is worth a lot of thought to give you that information.

The CHAIRMAN. That would be great.

Senator PORTMAN. Mr. Nyby, would you do the same, and Ms. Williamson? Great. Thank you.

The CHAIRMAN. Senator Scott?

Senator SCOTT. Thank you, Mr. Chairman, and I thank the members of the panel for your participation and certainly your rich testimony. And it is good to know that even Utah finds incredible assets in South Carolina. Well-educated at Wofford, I think I heard. God bless you. We will talk later on why you left, but we will get to that later. [Laughter.] That is not the point of the hearing.

I will tell you that this is a moving topic and a hard topic to digest and to confront. I know that we oftentimes look at the \$9 billion that is spent through one program, but if we look at it only from the prism of the finances, we miss the real point of the service, which is really trying to find a way to make sure that every American experiences their full potential.

I had an opportunity last year to visit one of the foster care homes in South Carolina and spent, I think it was, the week of Thanksgiving going to a couple of the locations and talking to the kids about their goals, their dreams, their expectations. And one of the points that I believe, Ms. Killett, you made is an important point that seems to ring true consistently: their goal really is to get

back home. And it does not really appear to matter what the home is like from our perspective on the outside looking in. What they want is their mom, very often—dad, too, but always I hear the same conversation. No matter how difficult the situation was at their house, they still have this yearning for their family, their blood line. And as a kid growing up in a single-parent household, I appreciate the sacrifices, the difficulty, and the road for so many single parents, and the challenges that many of the single parents have faced. I know that my mother would probably want to encourage me in many ways at times when I was being a difficult kid. My brother was the better of the two of us. He was a great kid. I was a rambunctious, challenging, difficult kid growing up.

But what I have learned through listening and talking to the kids is that they are just brilliant, with so much potential. And like yourself, Ms. Burton, I had an amazing intern just this summer who has gone through the foster care program, and she is just going to change the world. She is going to be a doctor one day, but before she becomes a doctor, she is going to China to teach English. So in all of her moves and changes, she was able to remain focused in a way that very few of us have been able to focus. And learning their stories has been an important part of my questions.

Ms. Burton, the role of drug addiction in tearing families apart seems to be really important in finding that path back. I would love to hear your comments on that. There is a program in a Greenville, SC facility called “Serenity Place” that is doing some remarkable things for families dealing with addiction. The program provides comprehensive residential treatment to about 120 pregnant women and young mothers each year, with 86 percent of the children still living with their families 1 year after discharge. In my opinion, that is a pretty powerful program with pretty strong results. I would love to get your perspective on the role of drug addiction, if you can touch on that, and on the family being cohesive and staying together, and the role of programs that have that type of success in just a year.

Ms. BURTON. Thank you for your question. In my personal experience at least, I believe that my mom’s addiction was directly linked to her childhood, being in foster care, and the trauma that she experienced. And she never dealt with that, and no one provided the services that she needed to deal with it either, and she did not know maybe how to ask for them. I do not know what happened, but I believe that had she received services and therapy to find what are her triggers—because she would get clean, but then she would end up back there. So it was not the getting clean. It was the staying clean.

Senator SCOTT. The cycle.

Ms. BURTON. Also, understanding her illness so that then I did not hold her addiction against her, could have been helpful. So I think it is providing therapeutic services for the whole family to understand the situation and to support each other, to keep strong ties.

Senator SCOTT. Good. And to that end, Ms. Williamson, one of the questions that keeps ringing in my ears is, the system so often hinges on a caseworker’s assessment. That seems to be such a powerful part of the analysis. What can be done and perhaps what

should be done to make the caseworker better prepared to focus on family cohesion? And when I think about the family cohesion and think about Ms. Killett's points on the opportunity for in-home intensive therapy, I would love to hear your comments on what the prognosis is going forward on caseworkers and what we might do to think about it from that actual level of the transaction and the caseworker's assessment being perhaps the most important key to that transaction. I do not know that I am suggesting that we should figure that out here in Washington. It is going to have to be figured out by States in programs. But I think illuminating what should be done could be helpful to all of us who are watching this and paying attention to the issue.

Ms. WILLIAMSON. Thank you so much. I have an encouraging response, and that is, indeed, States have recognized the importance of evidence-based approaches to these assessments and assuring that the assessments are not done in isolation of the family, that, in fact, it is very much with the family—not just the family, but the extended family at the table, community representatives at the table, stakeholders in the success of the changed outcomes. So, as Mr. Nyby mentioned, we need to first professionally equip our staff with the appropriate training on what is an evidence-based, research assessment tool. And a key component of the efficacy is that the family is involved. In Utah, I am happy to say that we have taken a national standard, the Child and Adolescent Needs and Strengths assessment, and created a Utah family and child assessment tool that is continuously revisited as an engagement tool throughout the lifetime of the case, so that when a parent says, "I really could use assistance in mental health, I really could use assistance with a substance abuse disorder," it is consistently revisited, because perhaps the initial intervention is not successful, but still they seek the changed results.

Senator SCOTT. Thank you.

Ms. WILLIAMSON. Thank you.

Senator SCOTT. My concern in asking the question about the caseworker's assessment and the tearing apart of families, as Ms. Killett spoke about, is that ultimately what we may see in the long run are fewer people calling for help when they need it because of the fear of the breakdown of their family. If you want to have any closing remarks on that, Ms. Killett—my time is actually up.

The CHAIRMAN. Well, thank you, Senator.

Senator SCOTT. Thank you.

The CHAIRMAN. I want to thank each one of you as witnesses here today. You have been really good. Each one of you has brought a very important perspective to this, and we are going to see what we can do to help here. So I just want to thank all of the witnesses for appearing today.

I also want to thank all the Senators who participated. This has been a very compelling discussion, and I do appreciate everyone's participation.

Now, any questions for the record should be submitted by no later than Tuesday, August 18th, and I hope you will get your answers back as quickly as possible, because if you get those answers back, that helps us to move forward with legislation that may be helpful to you.

I am grateful to each one of you for taking time out of your busy schedules to be with us. We have had a variety of perspectives here today, but all of you seem to agree that we can do a better job than we are doing right now. And I would like to see that we do.

God bless all of you, and thank you for being here, and with that, we will recess until further notice.

[Whereupon, at 11:45 a.m., the hearing was concluded.]



## APPENDIX

### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

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PREPARED STATEMENT OF ROSALINA BURTON, FORMER FOSTER YOUTH,  
ESCONDIDO, CA

Chairman Hatch, Ranking Member Wyden, and Members of the Senate Committee on Finance, thank you for inviting me to share my story and talk about some of the issues that I know affect many young people in foster care.

My name is Rosalina Harmony Burton. I am 23 years old, a current intern with FosterClub, and a mental health worker at San Pasqual Academy, a residential facility for foster youth in Escondido, California.

Before I worked at San Pasqual Academy, however, I was one of their clients for 14 months. I spent most of my childhood in the San Diego County foster care system. I was in and out of foster care for 12 years, during which time I experienced more than 23 different placements, the most memorable of these placements being kinship care with my great aunt, with whom I spent over a year and a half. This length of my placement was due in part to my large family but was greatly affected by my stability. Because my placement was incredibly stable, I was the last of seven children to return home. At this time, I was 3 and my mother was pregnant with her eighth and final child; I was her fourth.

We were removed from our parents' care for the first time after my mother went away to receive treatment for her addiction and my father was reported for neglect. My six siblings and I were taken to an emergency shelter before subsequently being placed in kinship care. One of my sisters and I were placed with our paternal great aunt. If I close my eyes, I can still picture the layout of her house, the pattern of my sister's and my matching bed sets on our first, very own beds, and smell breakfast cooking as I rose for our set morning routine. Yes, my great aunt was a prepared woman, and living with her gave me a sense of stability, love, and normalcy that I, unfortunately, never experienced again. Eventually, all of my siblings and I were reunified with my parents, who relapsed on drugs shortly after.

Over the next several years, my siblings and I would re-enter foster care, some of them less or more times than I, each after failed reunifications with our parents. At some point, we all just began to have different cases and different social workers. Things got really confusing. We no longer went to the same court dates or had the same permanency plans.

Looking back, I can't help but wonder if my experience in foster care—and the impact it would have on my siblings and I—would have been different had I lived with relatives.

At no point during any of my re-entries into foster care was kinship care brought up as an option again, despite the fact that my paternal great aunt, the one I lived with during my first foster care placement, had made it clear to me, my parents, and our caseworker that she wished to adopt me. I understand there may have been circumstances that I was not aware of, but it was never explained to me nor does it make sense that kinship placement with my aunt or any one of my relatives would have been ruled out. I come from a big family. I am one of eight, and we are part of an even bigger extended family: my father is one of nine.

I often wonder if these relatives being on my father's side, including my great aunt I mentioned, had something to do with why we were never placed in kinship care throughout our multiple re-entries into foster care. This is important to mention because kinship care is the preferred option when available, and lineage should

not be a barrier. While I was in kinship care, I saw my siblings and parents regularly as was prescribed by the court. I felt close to them and desired their presence in my life, but after we were scattered throughout foster and group homes, our close-knit sibling group became strangers to each other. At first, I enjoyed this reprieve because seven siblings meant always having to share everything. Unfortunately, I did not realize the damaging effect the long gaps between seeing my siblings was having on our relationships. Now as young adults, we realize that different nurturing experiences have shaped us to be completely different people with no history to hone in on when issues come up.

Before entering care, my siblings and I took care of each other because we had to—we were forced to bond due to close proximity. Once our environment changed, bonding became optional and that history obsolete. By the time I was 13, I often worried, if one of my siblings passed, about not having anything to say at their funeral because I didn't even know what their favorite ice cream was, better yet who they were. Memories are an essential part of staying connected to your siblings in adulthood, and youth with strong sibling connections are proven to have better outcomes. When there is no history, there is nothing to miss, and when there is nothing to miss, it becomes extremely hard to rationalize why you should try to have a relationship with someone who has nothing in common but DNA. Relationships are hard, and even harder for those who have experienced relationship loss due to foster care. We must do better for sibling relationships. I would like to share with you what I know about my siblings.

My eldest sister, the first born of our sibling group, emancipated out of foster care at the age of 16. I don't believe that was a healthy choice, but at the time reunification with my mother was not an option. She just wanted out of the foster care system. She received her GED before exiting care and now lives with my mother. Unfortunately, she continues, as she did then, to struggle with addiction.

My eldest brother, and the second born, found stability during his third entry into care with a school friend and their family. Our father's parental rights were terminated, and our mother voluntarily signed away her rights after my brother found stability. He aged out of foster care with this family and continues to have a close relationship with them. He is a UCLA graduate, volunteered for AmeriCorps, and was recently offered a job as a campaign manager.

With my elder sister, and the third born, parental rights were terminated for my father. My sister found stability during her second time entering foster care with a family from church. Although she exited and reentered care multiple times due to failed reunification efforts, this foster family became a constant, and she aged out while in their care at 18. She graduated high school and recently enrolled in community college.

I, the fourth child, had my father's rights terminated after a failed reunification at 13 years old. Within 6 months of entering his care, we became homeless. I was then reunified with my mother at 15 while she was in a homeless shelter. I often slept at friends' houses and skipped or missed school regularly. Living at home felt like I was walking on eggshells due to my mother's illness and was an environment I did not feel safe in. I reentered foster care no more than a year after living with her. Shortly after, I fought for my mother's rights to be terminated because I was done with failed reunifications. I emancipated at the age of 19, received my high school diploma, and have been employed full-time ever since. Last semester, I returned to college after taking time to work on my mental health.

Within a year of leaving my mother's care and entering foster care, my younger sister, the fifth born, tried to make things work with my mother by entering a teenage homeless shelter down the street from the shelter my mother stayed in. For reasons I am not aware of, this failed. She reentered foster care, but I do not believe my mother's parental rights were terminated. She became pregnant at 17 and aged out of care at 18. Now she has two children and struggles to maintain stability. She graduated with her high school diploma and has her CNA certificate.

Within the same year of me leaving my mother's care and entering foster care, my younger sister, the sixth born, began to suffer from mental health issues. I am not sure what the circumstances of her reentry were, but she reentered foster care, and my mother's rights were terminated. She emancipated at the age of 18, now lives with my mother, and continues to struggle with severe mental health issues.

Last, but not least, my two younger brothers, the seventh and eighth born, reentered foster care a total of four times before their cases were closed. When under my mother's care, neither brother spent much time living with my mother because

her mental illness greatly affected her ability to parent. My brothers often relied on connections through former foster homes, mentors, and friends. When asked why they never reentered foster care, they similarly replied that everyone else left my mother and they felt a sense of loyalty not to do the same. My mother did and does love us, her children; she was just trying to do the best she could with what she knew. The seventh born moved upstate during his junior year, graduated from high school, and is now pursuing a career as a youth pastor while working full time. The eighth born is extremely smart, but struggles to apply himself. Still, he is working on his high school diploma and lives with my mother.

I can view the multiple reunifications as proof that my parents wanted to be a part of my life. As you have read, my re-entries into foster care are also proof that they didn't know how to keep me safe and care for my siblings and me effectively. Entering foster care is a traumatic experience for all parties involved. My father felt invaded; he was raised in a family where what happens in the home stays in the home and you just don't talk about your problems. My mother felt re-victimized, haunted by her own experience in foster care as a child. Her own struggles with abandonment, broken family ties, and abuse, along with a lack of addiction and mental health services, lead to my multiple reentries into care.

For many years, my mother struggled to get and stay clean for my siblings and me. Her battle with mental illness, her inability to financially support eight kids, along with her dependence on an abusive man, made it practically impossible. My life had become a vicious cycle. My mother would leave my father; all of us kids would enter foster care. My mother would get clean, but the foster care system would demand more stability from her. My father had the ability to provide stability, so my mother would go back to my father, as she felt it was her only choice. We siblings would be reunified. At home, she was exposed daily to drugs, would relapse. Domestic violence and neglect ensues, and we kids enter foster care again. Mother gets clean for her kids, does not understand why she returned to father, and decides to leave. The cycle starts over. Eventually, my parents' rights were terminated when I was 15 years old.

By the time my mother had finally figured out how she could maintain a house, her sobriety, and work on her mental illness so that her children were returned, the damage was done. I didn't know my mother; I didn't know my siblings, and we all had very different childhood experiences that no one told us would affect reunification. I was no longer the kid who just wanted to be with her mom and dad. I was a budding teenager suffering with depression, angry that the world had dragged me through the mud, and unprepared to process all of this with parents and siblings who were struggling with their own issues. After my last reunification, my mother continued therapy, and every now and again she would ask that my siblings and I join her in a family session. These were not helpful. Instead I would have liked to have had intensive one-on-one and family therapy with a therapist who specialized in the effects of long-term foster care, PTSD, sibling rivalry, and complicated family dynamics.

I imagine that mandatory individual and family counseling before and during reunification, along with financial assistance, would have played a huge role in a successful reunification. Such therapy, combined with the substance abuse treatment she received, would have helped my mother to identify childhood traumas that affected her parenting and led to her need to numb herself with harmful substances in the first place. I also imagine, had my mother received preventative and ongoing services from professionals who understood mental illness and saw her as a victim and not a drug addict, maybe we would have never needed to spend so much of our childhood in foster care.

Although I am honored to be here speaking to all of you today, I imagine—had my mom received the services she needed during that critical time when she volunteered to get clean when I was three—I would not be standing here today. I would not have aged out of congregate care, and I would not still be hoping to one day find my forever family.

Please support prevention services such as intensive counseling and financial assistance that help kids stay with their families. Support these same services after reunification so all parties can talk openly and honestly about their fears, hopes, and expectations to help families stick together and to understand the damage time away from each other can have on their relationships. Support kinship placements at all times, because sometimes parents will fail to reach the bar, but their kids should not be forced to find a new family when extended family members are available.

Today I work at an amazing group home. However, I recognize that, as hard as they try, group homes will never be able to give youth all the things that a loving family can. Not at graduation, not during your first pregnancy, and definitely not at your 30th birthday. Group homes are temporary. Families should be forever.

Thank you.

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PREPARED STATEMENT OF DONNA BUTTS, EXECUTIVE DIRECTOR,  
GENERATIONS UNITED

Generations United is pleased to provide testimony to the Senate Committee on Finance. We applaud Chairman Hatch, Ranking Member Wyden, and members of the committee for your leadership in holding this hearing on preserving families and reducing the need for foster care. Every child deserves to grow up in a safe, stable and loving family. For about 7.8 million children that family is headed by kin—a grandparent, uncle, aunt or close family friend. While it may sound simple, the issues facing kinship families are varied and complex. The families are, however, united by one common factor. They believe beyond a shadow of a doubt in the importance of family. They believe children fare better when they are raised in a family, not a system and they are right.

My testimony today will focus on four specific areas:

- Notice to relatives when children are removed from their parents' care.
- Licensing of kinship caregivers.
- Preventing children from entering foster care.
- Trauma-informed supports for kinship families.

First, a little about Generations United. Generations United is the national membership organization focused solely on improving the lives of children, youth, and older people through intergenerational strategies, programs, and public policies. Since 1986, Generations United has been the catalyst for policies and practices stimulating cooperation and collaboration among generations. We believe that we can only be successful in the face of our complex future if generational diversity is regarded as a national asset and fully leveraged. For almost 20 years, Generations United's National Center on Grandfamilies has been a leading voice for issues affecting families headed by grandparents or other relatives.

Despite the challenges facing kinship families, children fare well in the care of relatives. Compared to children in non-relative care they have more stability and are more likely to report feeling loved. Since 1996,<sup>1</sup> Federal law has affirmed that relatives should be the first placement choice. Research confirms that Congress is right to consider relatives first, because placement with relatives:

- Reinforces safety, stability, and well-being.
- Reduces trauma.
- Reinforces child's sense of identity.
- Helps keep siblings together.
- Honors family and cultural ties.
- Expands permanency options.
- Can reduce racial disproportionality.<sup>2</sup>

While kinship families are diverse in terms of race, culture, income, and geography, many of their strengths, challenges and needs cut across these differences. Yet the degree to which they receive the supports and services they need is often tied largely to the way in which they happen to come into their grandparent, aunt or uncle's care.

There are roughly four types of arrangements for children in kinship families.

- Children in licensed kinship foster families.
- Children in unlicensed families who are under child welfare agency supervision.
- Children who came to the attention of the child welfare agency, but are diverted to live with relatives without child welfare supports or services.
- Children who never come to the attention of the child welfare agency because family steps in to care for them before referrals are made.

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<sup>1</sup>Generations United. (2014). *The State of Grandfamilies in America: 2014*. Retrieved from <http://www.grandfamilies.org/Portals/0/14-State-of-Grandfamilies-Report-Final.pdf>.

<sup>2</sup>Ibid.

The same children, with the same needs and strengths could land in any of these families. Yet children in licensed care are far more likely to receive the support services and benefits critical to meet their needs, while children with family outside foster care often have little to no support. Congress should act to ensure that all children in relative care get the supports they need to thrive regardless of the circumstances that brought them to live with grandma or another caring family member.

KINSHIP CARE AS A WAY TO PRESERVE FAMILIES AND  
REDUCE THE NEED FOR FOSTER CARE

Over a quarter of the foster care system already relies on relatives to care for children.<sup>1</sup> Based on the research and how we know children fare, a key way to preserve families, reduce reliance on group homes and promote permanency and better outcomes for children is to prioritize and support placements with kin when children cannot remain with the birth parents. Congress has enacted several provisions in the last few years to increase placements with relatives, including mandatory identification and notification of relatives when a child is removed from a parent's care and the Guardianship Assistance Program. Congress further provided for important waivers, which allowed states and communities to use Federal child welfare monies to support kinship care and promote prevention. We applaud these advances and encourage efforts to further strengthen these provisions, and better support kinship families by:

- Improving identification and notification of relatives.
- Reducing barriers to foster care licensure for relatives.
- Reforming child welfare financing to better support preventive and post-permanency services such as kinship navigators.
- Improving access to comprehensive, trauma-informed supports and services.
- Preserving and coordinating flexible funding sources that fill in service gaps for relatives outside the formal foster care system.
- Elevating the Guardianship Assistance Program.

*Improving Identification and Notification of Relatives*

The Fostering Connections to Success and Increasing Adoptions Act of 2008 requires the States to exercise “due diligence” to identify and notify relatives within 30 days of a child’s removal from his/her parent’s home. Moreover, the notification requirement includes that the State “explains the options the relative has under Federal, State, and local law to participate in the care and placement of the child, including any options that may be lost by failing to respond to the notice.” 42 U.S.C. §671(a)(29). Anecdotally, when we speak with caregivers and provide training to States, most know very little about this requirement and do not seem to be providing or receiving information concerning options, including the option to become a licensed foster parent. For those who do receive the information, many report that it was presented in a way that was confusing and even threatening. Many grandmothers have told us about getting a call in the middle of the night from a child welfare worker telling them to come pick up their grandchildren immediately or they will end up in foster care.

Once relatives answer this type of call, the agency should ensure that relatives have the right supports whatever placement choices they make. If the relative chooses not to become a licensed foster parent and instead wants the child diverted from the system, the agency should be clear with the caregiver that diversion typically means lack of legal status, lack of information about available financial assistance and health care, and fewer services for the parents. If the child comes to the attention of the child welfare system and without a willing relative the child would have to be brought into the system. The agency then has a responsibility to meaningfully connect the child and caregiver with available supports.

For American Indian/Alaska Native children, notice to and involvement of tribes, tribal-State collaborations and compliance with the Indian Child Welfare Act (ICWA) are important and unique tools for keeping families together. By working together, tribes and States can increase services to children and families, expand placement options (particularly with family), and help to ensure that interventions are culturally appropriate.

Generations United recommends changes to help ensure that relatives receive meaningful identification and notification with clear information and assistance, so they can digest their options and make the best decisions for the children. We recommend that Congress require that the notice to relatives be in writing and include

information about additional community resources to help kinship families (other than the child welfare agency); that States define the steps necessary to constitute “due diligence” in identifying and notifying relatives; and that States document their efforts and responses identifying and notifying relatives.

*Reducing Barriers to Foster Care Licensure for Relatives*

Federal law allows States a great deal of flexibility in creating family foster home licensing standards. The Social Security Act at 42 U.S.C. §671(a)(10) tells States that they must establish and maintain standards for foster family homes and child care institutions that are “reasonably in accord” with recommended standards of national organizations. Yet until now there were no comprehensive national standards. Due to this lack of guidance, licensing standards vary dramatically among the States and often pose unnecessary barriers. While States may offer waivers to non-safety related licensure barriers, many child welfare agencies do not use waivers. Agency case workers may not be clear on how to get a waiver and it may take too long for already overburdened workers.

As a result, appropriate relatives are often denied licensure, causing children to be placed unnecessarily in group settings or in the limited pool of non-related family foster homes. In other cases, children are placed in unlicensed homes with relatives and consequently receive inadequate supports, which can cause placement instability.

For example, JJ and his siblings went to live with their grandparents when their father’s drinking got out of control. His grandparents wanted to provide a safe and loving home for JJ, his two brothers and little sister. They struggled against the clock to make the required changes to the grandparents’ house, so they would meet State requirements and be able to continue as a stable, unified family. JJ’s grandparents had to file for bankruptcy because of their effort to make their home comply with foster care standards. A home filled with love, but not enough bedrooms.

During fall 2014, Generations United, the American Bar Association Center on Children and the Law, The Annie E. Casey Foundation, and the National Association for Regulatory Administration (NARA) released the first set of comprehensive model family foster home licensing standards. NARA, as the nation’s association of human service regulators, took the added step of adopting them as its standards.

This model does away with artificial and potentially discriminatory barriers, such as requirements to own vehicles, be no older than age 65, have high school degrees, and live in homes with certain square footage in “accessible” (not rural) locations. In their place are reasonable standards that lead to safe and appropriate homes and families. For example, functional literacy is required, rather than high school diplomas, capacity standards are based on home studies, and other methods of transportation, including public transportation, may be used. Generations United recommends that Congress direct States to assess and make any necessary changes to their existing standards, using the NARA model as a tool.

*Reforming Child Welfare Financing to Better Support Preventive and Post-Permanency Services such as Kinship Navigators*

For every one child in foster care with a relative, there are about 23 outside the system being raised by a grandparent, other extended family member, or close family friend without a parent present.<sup>2</sup> These families save taxpayers more than \$4 billion each year by preventing these children from entering foster care.<sup>3</sup> Yet, these families face unique challenges and need support.

Grandparents or other relatives often take on the care of children with little or no chance to plan in advance. Consequently, they often face obstacles obtaining legal custody, addressing the children’s education needs, accessing affordable housing, ensuring financial stability, and obtaining adequate health care for the children and themselves. Under current child welfare financing laws, these families receive little or no preventative or supportive services to keep them together and out of foster care.

Kinship caregivers often keep families together at great sacrifice like the grandmother in Tennessee who worked at Vanderbilt University. Her grandson had been living on the streets with her son who had mental health issues. The grandson had no dental care. When she was given custody of him, his teeth were in such poor shape she spent down her retirement savings to have them fixed. Later, after joining a support group, she learned she could have accessed the State Children’s

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<sup>3</sup> Ibid.

Health Insurance Program and saved her retirement savings for the years she would need them for her own well-being.

Support and prevention services for these kinship families can prevent entry into the much more costly foster care system. Allowing States to flexibly use title IV-E funds under the Social Security Act can prevent children from entering the foster care system, thereby reducing reliance on group homes, ensuring a family for every child, and decreasing the overall number of children in the foster care system.

Programs like kinship navigators, supported case management and access to quality mental health and behavioral health services can be critical to ensuring relatives receive the supports they need within their communities. These services can prevent children from entering or re-entering foster care after they are adopted or in permanent guardianships with relatives. Research is demonstrating strong outcomes for families receiving many of these innovative and evidence-informed services, such as those offered by A Second Chance Inc. in Pittsburgh, Pennsylvania and by the District of Columbia Child and Family Services Agency. However funding limitations have prevented comprehensive research on what packages of fully supported, effective kinship diversion services would look like in a State or local child welfare agency. Generations United recommends support for evaluation funds to identify and evaluate such promising practices.

*Improving Access to Comprehensive, Trauma-Informed Supports and Services*

While many kinship caregivers report experiencing benefits, such as the emotional rewards that come with caring for children, they often also experience challenges. These can be even more daunting when caring for children who have experienced trauma, which often leads to complex mental health and behavioral issues. Therapeutic foster care provides residential level of services for children and youth in a family setting with specially trained caregivers. Sadly, too many children and their kinship caregivers are not informed about these supports and are left to manage serious mental health needs on their own. Without outside support, the children are at risk of re-entry into foster care or poorer outcomes. Generations United recommends urging States to ensure that kinship families have access to the same level of therapeutic services as non-relatives.

These services would help young people like Michael who at the age of 12 began a foster care odyssey that led to 16 placements before he aged out. While he repeatedly said he wanted to be with his extended family, he was moved from placement to placement. Even though the facilities he entered for treatment all concluded he didn't have any major mental health issues, he was moved from one placement to another because he kept trying to get back to the fragments of his family.

One approach to ensure access to therapeutic services and other supports is to require States to designate a kinship care ombudsman or a primary kinship resource liaison at the child welfare agency who provides relatives with information about placement and visitation options; the role of the child welfare agency in each option; and how each option corresponds to which benefits, resources, and services would be available. This person would help ensure that relatives get access to the same types of comprehensive supports that non-relative foster parents receive. The kinship resource person would also act as a liaison with the caseworker assigned to the family, and other agencies and community organizations that provide resources and assistance to relatives.

*Preserving and Coordinating Flexible Funding Sources That Fill in Service Gaps for Relatives Outside the Formal Foster Care System*

Children who are diverted from the child welfare system to “informal care” with relatives often do not have access to the financial and other supports available to relatives who are licensed or under agency supervision. For them, a small amount of monthly support through the Temporary Assistance for Needy Families (TANF) child only grant or community-based services funded by the Social Services Block Grant may be among the few places they can turn for assistance. The important role of these Federal funding streams in supporting children in relative care must be recognized.

In 1996, Congress explicitly envisioned TANF as a critical support for kinship families. One of the four primary purposes of TANF is “to provide assistance to needy families so that children may be cared for in their own homes or in the homes

of relatives.”<sup>4</sup> Almost two decades later, kin continue to rely on TANF as often the only source of financial support for helping them keep the families they raise together. Although TANF policy explicitly states that children cared for by relatives can receive TANF assistance, many kinship families face challenges accessing it, in large part because the actual framework of TANF was not designed with them in mind. Federal TANF rules were developed for young, low-income single mothers with no or minimal financial assets, whereas the majority of children in kinship families have a caregiver who is age 50 and older and 16 percent of them have a caregiver who is already retired.<sup>5</sup> TANF work requirements, time limits, and the requirement to assign child support enforcement to the State often do not make sense for kinship families.

Generations United recommends that a number of things be done to make TANF more accessible to kinship families including collecting data and providing clear guidance on the “good cause” exception to complying with child support enforcement; making exemptions to work requirements and time limits; and increasing or eliminating asset limits for kinship caregivers.

*Elevating the Guardianship Assistance Program*

The Fostering Connections to Success and Increasing Adoptions Act of 2008 allows Federal reimbursement for States offering kinship guardianship assistance to children exiting foster care to permanent guardianship with relatives. To date, 31 States, the District of Columbia, and five Indian tribes are offering subsidized guardianship. Children in 19 States and the remaining tribes do not have access to this important permanency option. Generations United urges policymakers to continue to elevate the value to children of offering this permanency option.

Poet Maya Angelou, herself a grand success raised in part by her paternal grandmother said, “Today, people are so disconnected that they feel they are blades of grass, but when they know who their grandparents and great-grandparents were, they become trees, they have roots, they can no longer be mowed down.” All of America’s children deserve a way back home—a way to remain with the roots—the families that grow our country’s next generation to be strong, productive and contributing citizens.

Thank you for the opportunity to offer testimony for this important hearing. I would be happy to answer any questions.

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PREPARED STATEMENT OF HON. ORRIN G. HATCH,  
A U.S. SENATOR FROM UTAH

WASHINGTON—Senate Finance Committee Chairman Orrin Hatch (R-Utah) today delivered the following statement during a committee hearing exploring alternatives to help families and children reduce reliance on foster care group homes:

Robert Frost once wrote, “Home is the place, when you have to go there, they have to take you in.” Unfortunately, for too many children in our foster care system, that type of home is unavailable.

Today, the Senate Finance Committee will hear testimony on alternatives that can reduce the reliance on foster care group homes. I have been very pleased to have worked on this hearing with Ranking Member Wyden. This is a bipartisan hearing and I appreciate his efforts—as well as those of his staff—to make it so.

The basic premise of this hearing is simple: whenever possible, children should grow up in a home with their family. When problems arise, attempts should be made to keep children safely at home. If a child cannot be kept safely at home, efforts should be made to place them with fit and willing relatives.

Children and youth should only be placed in group homes for short periods of time and only when efforts to place them in a safe family setting have been exhausted.

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<sup>4</sup> 42 U.S.C. § 601. The other three are: (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (4) encourage the formation and maintenance of two-parent families.

<sup>5</sup> Annie E. Casey Foundation. (2012). *Stepping up for kids: what government and communities should do to support kinship families*. Retrieved from <http://www.aecf.org/resources/stepping-up-for-kids/> (citing Population Reference Bureau’s analysis of the 2011 Current Population Survey Annual Social and Economic Survey.)

Too many children and youth spend years isolated and confined in foster care group homes.

This past May, the committee held a hearing on the need to safely reduce reliance on foster care group homes. We heard powerful testimony from a former foster youth about her negative experiences in a foster care group home. The committee also heard testimony about how expensive, inappropriate, and ultimately detrimental placement in these homes can be for many children and youth.

I believe that we should do whatever we can to reduce the reliance on foster care group homes. There is a point when we should refuse to spend scarce taxpayer dollars to subsidize a placement that we know results in negative outcomes for children and youth. As I have said in the past, no one would support allowing States to use to Federal taxpayer dollars to buy cigarettes for foster youth. In my view, continuing to use taxpayer dollars to fund long-term placements in foster care group homes is ultimately just as destructive.

However, it is not sound public policy to work to reduce the reliance on group homes without addressing the need to support a family placement for children and youth currently in or at risk of entering one of these facilities.

The purpose of this hearing is to examine alternatives to foster care group homes. Such alternatives include allowing States to use their Federal foster care funds for the purpose of providing services and interventions that can result in allowing children to stay safely at home.

Currently, the Federal Government devotes the highest proportion of its Federal foster care funding to the least desirable outcome for vulnerable families: removal of a child from his or her home and placing them in stranger care or in a foster care group home. Current Federal foster care laws prohibit States from using certain Federal funds to provide up-front services that could ameliorate harmful conditions in the family home.

Some States, like Utah for example, believe that they can reduce the need for foster care if they use certain Federal funds to provide front- and back-end services to families. In 2011, Chairman Baucus and I drafted legislation that allowed up to 30 States to get waivers in order to innovate and use their Federal foster care dollars to provide these up-front services.

Today we will hear from an official from my State of Utah on how this flexibility has improved outcomes for children and families, reducing the reliance on foster care. I believe we should extrapolate from Utah's innovative HomeWorks initiative as a model for all States. When you ask a child who has been in foster care how we can best improve the current foster care system, often the answer will be: "You could have helped my mom so that I did not have to go into foster care in the first place."

When a child cannot remain safely at home or assisting the parents to maintain guardianship is untenable, another alternative is to locate a fit and willing relative for the child. And, in recent years, Congress has taken some steps to increase these types of outcomes.

For example, in the landmark legislation, the Fostering Connections to Success and Increasing Adoptions Act of 2008, Congress allowed States to get Federal reimbursement for certain kinship placements. And, under legislation enacted in the last Congress, States are now allowed to get Federal incentives for increases in kinship placements.

In other words, Congress has strongly signaled to States that kinship placements should be a priority, but challenges still remain. Today we will hear about these barriers to kinship placement and suggestions to make these placements more prevalent.

I know that Senator Wyden is planning to introduce legislation which would allow Federal funds to be used for services to help families stay safely together. I look forward to working with him and any other members of the committee on legislation that would reduce the reliance on foster care group homes and allow States to use their Federal foster care dollars for these prevention services.

I hope to have a committee markup of this legislation in the fall. This hearing is part of a bipartisan process to improve outcomes for vulnerable children and families. I hope that members will listen carefully to the testimony and policy recommendations presented here today.

PREPARED STATEMENT OF SANDRA KILLETT,  
PARENT ADVOCATE, NEW YORK, NY

Thank you, Chairman Hatch, Ranking Member Wyden, and Members of the Committee, for the invitation to be here today. My name is Sandra Killett, a mother who raised two sons, now 20 and 22 years of age. I reside in New York City and am currently the Executive Director of the Child Welfare Organizing Project (CWOP), which is an organization led by parents and youth affected and/or who had contact with the New York City child welfare protection system. Most of the staff and board of directors of CWOP are parents who have had children placed in foster care and now help other parents facing similar challenges. Prior to becoming the Executive Director, I served as the CWOP Board Chair and I also graduated from the CWOP Parent Leadership Academy in 2005.

Today, I am here to share insights gained from my own life experiences as a parent impacted by the child welfare protection system. I am also representing the perspectives of hundreds of other parents with whom I have worked when employed as a Parent Advocate by a New York social service agency and parents with whom I continue to connect with on a daily basis as the director of CWOP. Some of the parents are here in the room today and others are in various jurisdictions around the United States. Most of the parents here with me today are from New York City.

I plan to talk about gaps in service and also share some recommendations on how to improve services for biological families involved with the child protection system. My key themes are:

- Realigning child welfare dollars to support a broad array of community-based prevention and early intervention services to strengthen families and keep them safely together—if dollars are realigned to meet the immediate needs of families, we could reduce the numbers of children being removed from home and placed in foster care.
- Promoting a supportive, non-punitive approach to help families build on their protective factors while keeping their children at home.
- Partnering with parents to work with other families before, during, or after involvement with child protection and the courts.

MY STORY

I want to share a little about my story to help you better understand why I am urging you to act on these recommendations. I am a parent who has been affected by the child welfare protection system in New York City, and this experience has forever changed my life and has traumatically impacted both of my sons, Tre and Tank.

As a single mother, I relocated to New York from Atlanta, Georgia with my two boys when they were young due to financial hardship. All of my family and supports were in New York. Their father travelled back and forth between New York and Atlanta to visit the boys, hoping that the move to New York was just temporary. This was difficult for my sons because they were very close with their dad and he loved them. My oldest son, Tre, became very distraught every time his father left New York to return to Atlanta. He began exhibiting aggressive behavior and angry outbursts as he got older. The angry outbursts towards me were later denied. Tre simply blamed me for his father not being in his life.

I sought help and support to deal with my family's challenges. My sons and I attended family counseling. This helped provide me with the tools to help my sons understand why I separated from their father, eventually resulting in divorce. During family therapy, I learned of Tre's need to have his own therapist for individual sessions. The therapist suggested that I seek an outside individual therapist, which would make my son confident that the therapist was on his side so he would hopefully open up and be truthful about his feelings concerning his dad and me. I tried to arrange individual therapy for Tre, but I was placed on a waiting list.

Then I began to receive calls from the school about my son fighting and being disrespectful to his teachers. The school counselor helped me see the hurt that my son had experienced by his father not being emotionally or financially present and telling his sons that he was the only one who should be there for them as a father figure or a support to me.

I began to call every week to ask my therapist about expediting Tre's individual therapy. I was informed each time that I was still on a waiting list. Nothing became

available within the month. We continued to have episodes at home. I became afraid of Tre, who was then 13 years old. I was concerned about the safety of my youngest son who was 10. Tre would become so enraged that I would have to retreat with my youngest son to my bedroom. Eventually, I could not say anything to Tre without him threatening me.

I went into the local Office of Children's Services requesting assistance. I was informed that due to whatever my son told them about a scratch on his neck which he got from me grabbing him, I was going to be investigated for abuse. I had no idea what this really meant or how to respond to it. I was informed that both of my sons would be interviewed privately, without me present. Although I did not agree, I was told that I did not have a choice in the matter. The Child Protective Services (CPS) worker asked me some questions which I thought were intrusive, but nevertheless I answered them. None of the questions pertained to the reason I came to their office. All of the questions related to how I treated my children and how I disciplined them. Throughout this process, I was not concerned until my sons voluntarily told me the types of questions they were being asked and how they were being interviewed by the worker. When my sons answered the questions, the CPS worker guided them to "tell the truth about me beating them" but my sons were clear about the form of discipline they received. They explained that I would discipline them by taking away their favorite things, such as "no television" or "no play dates," etc. I was very angry and frustrated and definitely felt misunderstood by the child protection system.

At the end of the interrogation, I was told that someone would be visiting my home once or twice a week to monitor my family. The worker later concluded that I was not abusive or neglectful and I was not mistreating my children. The worker stated that I had everything in place to support my family. She acknowledged that my sons were healthy, they regularly attended school, had positive peer relationships, and both had lots of involvement in social activities. In addition to having a loving and supportive extended family, we had stable community ties, including connections with the church, strong relationships with friends, positive school influences, and a wealth of resources and connections through my volunteer and activism work in community organizing for social justice. I now know that I had protective factors in place for my family which were a sign of stability and resilience. I continued to request services and was informed by the worker that the department didn't have the means to provide any home-based family counseling services or individual counseling.

Eventually my son and I had an altercation, and Children's Services took him from my home and placed him in foster care. I was treated like a criminal. The prosecutor was trying to get a conviction, and the family court was trying to take my youngest son away from me. I was in a state of shock. It was unacceptable to me that the situation with my son and me was being handled in such a negative manner. My younger son, Tank, became withdrawn and very sad. Not having his big brother at home was devastating for Tank. They were very close; we were very close. The foster care agency continued to say that I was the problem. My son did not receive any therapy while in foster care. I continued to receive therapy on my own.

If my family had received home-based family therapy, I believe we would have avoided the trauma of separation from the family and the development of a strained relationship between my two sons. We would have been working together as a family through the crisis. After all, isn't that what most families do who can afford to pay for the type of services that I was hoping would be provided to my family from the child welfare system? I would have been able to help my son go through experiences that an adolescent would go through at his age, such as asking a girl out on a date, researching colleges, and helping him prepare for high school graduation. The simplest things were taken from me and my family—exploring his inner emotions and simply sharing all of this with our entire family. We will never get that part of our lives back. However, we can move forward and make new memories.

Today, we are still healing as a family. My relationship with my son is off and on, but we will work it out. He does not like to talk about his experience being in foster care. He knows that I never gave up on him and continued to advocate for him. Tre eventually returned home without incident, but the ties and bond of mother and child and sibling will never be the same. He enjoys the fact that his little brother had the opportunity to go away to college and often states that he wished he had been a little more open to receiving my love and caring. He really thought

I did not want him around. He thought the extended family did not want him around, and he even had hostility towards his brother.

He really missed being a kid. The foster care system has a way of doing this to kids. He remained in foster care for 1½ years before he was able to return home. Although it has taken some time, my son has started to feel like he belongs somewhere, and that somewhere is with his family. Inside he knows, “I know my family loves me.”

My family represents one of the thousands of families across the country in crisis and could have stayed together if we had been offered the right community services early in the process. If funding for home-based therapy and other supportive services had been available to help our family, it is very likely that my son might have remained at home and I would not be here talking to you today.

#### MY WORK AS A PARENT ADVOCATE AND COLLABORATOR

Today I do amazing work helping families organize and transform a very complex child protection system to a child welfare system. I work closely with social workers, parent advocates, and other professionals who want to make a difference in the lives of families. By hearing my story and experiences, they are better able to learn how to engage families and understand how communication and the right resources can impact the lives of children in their own communities. It is through our collaborative work efforts that we can change laws to improve policies and practices for vulnerable children and families.

I have extensive experience in the New York nonprofit child welfare sector. I have educated parents about their rights and the processes to reunify with their families, acted as a family mediator, and worked to organize and reform child welfare policies. In 2013, I was hired as the Executive Director of CWOP. I am a member of the New York Coalition for Child Welfare Finance Reform, which is a group of service providers and advocates who have collectively developed a set of principles for Federal child welfare finance reform. I work with numerous advisory groups such as the Casey Family Programs Birth Parent Advisory Committee to help make systems reforms. Based on our experiences, we have developed several ideas to improve child welfare policy and practice to help prevent child abuse and neglect and more effectively serve children, parents, and families involved with the child welfare system. I am a founding member of the Birth Parent National Network, a dynamic national network of birth parents who work to educate policymakers and key stakeholders about the needs and gaps in services for child welfare-involved families. I served on the Disproportionate Minority Representation Committee at the Bronx Family Court and Manhattan Family Court, and I am continuing to volunteer with Community Voices Heard to address socioeconomic issues such as welfare, housing, education, and employment for families involved with the child protection system.

I am very committed to reducing foster care placements and bringing the parent voice to the table to transform and shape future policies and practices to transform the child protection system into a child welfare system.

#### WHAT WORKED AND WHAT I LEARNED THROUGH MY EXPERIENCES

Here are my recommendations based on what I learned through my own experiences, from talking with other parents all across the country, and from reading as much as I could about policies and practices in this area.

- I. Realign child welfare dollars to support a broad array of community-based prevention and early intervention services to strengthen families and keep them safely together. If dollars are realigned to meet the immediate needs of families, we could reduce the numbers of children being removed from home and placed in foster care.**

I know from my own experience and working with other parents that many families who come in contact with the child welfare system could have avoided child welfare involvement with basic necessities, such as access to stable housing rather than shelters, quality child care and extended day care, and extracurricular activities to support an enriching experience for families who can barely meet their needs. There are serious gaps in services for many families. I could go on and on—there are so many services that can help families avoid contact with the child protection system. Some of the critical community-based services that families need include:

- > Home visiting
- > Early childhood and child care services

- Parent mentoring
- Parenting education
- Support groups
- Community cafés
- Respite care
- Family resource centers
- School-based programs
- Programs for families affected by substance abuse
- Housing assistance
- Medical services
- Transportation
- Mental health treatment
- Counseling
- Employment training and job placement
- Differential response and other support programs
- Services specific to domestic violence

I do believe that if my family had been able to take advantage of preventive and early intervention community-based resources, my son would not have been placed in foster care. It is my belief that we need to shift our thinking from looking at foster care as a solution and instead focusing on strengthening families and keeping children at home.

There are new and innovative demonstration projects being funded through title IV–E waivers in various jurisdictions, including New York City. This provides child welfare departments the flexibility to use some of their foster care dollars on other services to support and strengthen families. I, along with many other New York parents, believe that the title IV–E waiver funding would be most helpful to families if it were used to support prevention and early intervention programs such as Healthy Families and Visiting Nurse Programs.

#### II. USE A SUPPORTIVE NON-PUNITIVE APPROACH TO HELP FAMILIES AT RISK SAFELY KEEP THEIR CHILDREN AT HOME

I first learned about the Child Welfare Organizing Project (CWOP) through a very good colleague. I began to attend the CWOP Parent Self-Help Support group and was moved by the many stories that parents shared about their struggles with the child protection system. That is when I first learned that I was not alone and that there were other parents dealing with similar challenges to mine. I later participated in the Parent Leadership Academy, graduated, and became a Parent Advocate. I worked with other families—teaching and encouraging them to advocate for needed services for themselves and their children in order to reunify with their children as quickly as possible. I also encouraged families to exercise their rights as parents. I have first-hand experience every day with families not having adequate legal representation, foster care agencies not honoring visiting schedules, or siblings missing out on visitations due to a lack of resources. There are so many different types of gaps. At CWOP we educate the community, we speak at various universities and public and private organizations, and we mobilize parents to recommend policies and practices that promote positive and supportive approaches with families involved with the system. We need to ensure that parents who enter the child welfare system are treated with respect and that their name is not placed in a record system for years. This type of record generally has negative effects and can potentially impede potential employment options for a family.

We need to educate our communities on how to help parents before they lose control. We need to raise more awareness about the everyday toxic stresses and challenges faced by many families and how to strengthen and build protective factors—this should be done in the same way that we currently focus on raising awareness about helping others who need help with substance abuse, critical illness, and other health-related issues. We need to develop educational campaigns and public service announcements to inform and educate the public and private sectors about the importance of building protective factors in families and communities and reducing risk factors.

Today I bring to you the voices of many parents who have forever been changed by the child welfare system. Most families live in very stressful environments, facing everyday trauma based on their circumstances. Many are being penalized for living in conditions that are beyond their control. These families are also being told by CPS workers that they do not have the ability to protect their children in their

own community. I believe that most parents want to be good parents but may need some help or assistance along with way.

III. PARTNER WITH PARENTS TO WORK WITH OTHER FAMILIES BEFORE, DURING, OR AFTER INVOLVEMENT WITH THE CHILD WELFARE AND COURT SYSTEMS

We need to engage parents as partners in child abuse reporting, investigations, service planning, delivery of services, and evaluation.

Parent partners (parents who have navigated the child protection systems), can effectively work with families to avoid entering the system. For parents already involved in the child protection system, parent partners can help parents effectively navigate all the services through child welfare, the public welfare system, courts, substance abuse treatment, housing, medical, and vocational/educational systems to help families reunify successfully and more quickly with their children.

Parent partners can help build positive relationships and promote protective factors with families, since they have similar life experiences and parents often seem to feel more comfortable talking with them. Parent partners can also help reduce obstacles for parents to complete their service plans so that parents can reunify more quickly with their children.

In conclusion, I ask you to take action to make sure ALL children at risk are protected by helping their families and communities build protective factors to ensure that children grow up in healthy, safe, and nurturing homes.

Thank you for allowing me to share my own experience and the voices of many parents who struggle every day to do the best they can and be the best parents possible.

I welcome any questions that you may have.

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PREPARED STATEMENT OF CHARLES NYBY, DIFFERENTIAL RESPONSE AND SAFETY OPERATIONS AND POLICY ANALYST, CHILD WELFARE PROGRAM, OREGON DEPARTMENT OF HUMAN SERVICES, SALEM, OR

GAPS IN THE CHILD WELFARE SYSTEM

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 naught. At times the heartbreak 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 trying 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 e-mail 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 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 up-front 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 okay 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 caseworkers and supervisors. I've helped develop 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.

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PREPARED STATEMENT OF ANN SILVERBERG WILLIAMSON, EXECUTIVE DIRECTOR,  
UTAH DEPARTMENT OF HUMAN SERVICES, SALT LAKE CITY, UT

Chairman Hatch, Ranking Member Wyden, and Members of the Senate Finance Committee, it is a privilege to appear before you representing the Utah Department of Human Services. Thank you for the opportunity to testify on our child welfare practice. In Utah, we value not only what is proven to be in the best interest of children, youth and families, but also what is cost effective. Thank you for your leadership to prioritize this discussion.

Several facts about Utah's child welfare model illustrate the strengths of our approach:

- With one of the nation's highest percentages of minors per capita, Utah has one of the lowest entry rates into the foster care system: 3.1 for every 1,000; the national average is 6.1 for every 1,000. This demonstrates the existing focus we have on family, community and prevention.
- The average length of stay for children in foster care is 10.4 months; the national average is 13.4 months, emphasizing our interest in safely reunifying and finding kinship care.
- Twenty-seven percent of children in the State's foster care system are adopted; 19 percent is the national average illustrating Utah's commitment to providing children a permanent home to grow in safely.
- The total child welfare annual budget is \$114 million State and \$57 million Federal.

Following the changes that allowed Utah to successfully exit a settlement agreement; our child welfare system was touted for the effectiveness of our practice. We incorporated family team meetings and rigorous qualitative case and process reviews into our work. We established an independent Ombudsman's office and a Fatality Review Panel in addition to other legislative and community engagement forums to assure transparency and timely services to those in need.

In recent years, we identified the need to build equally effective in home supports to safely keep children with their families, reducing the need for foster care.

Regardless how well a foster care system operates, the fact remains that children are best served in homes, surrounded by family, familiar schools and community. Ask any child and they will tell you that a home with loving adults is their heart's desire.

The voice of one brave young woman, who aged out of the foster care system prior to our recent changes, underscores the opportunity we have to do better. While her narrative is one of triumph, it is rich with lessons for those of us able to influence the system.

As a young child, Beth was removed from her mother's care for the neglect that resulted from her mom's untreated mental illness. Instead of remaining within her

home with parenting supports, behavioral health care, and coordinated community services, this child was swept into a perilous journey between multiple foster homes, engagement in the juvenile justice system, truancy, periods of homelessness—the tragic symptoms of Beth’s anger, resentment, and trauma of being without her family and her home.

When asked why she continued to run away from foster homes, Beth plainly said it was to get back to her mother. When asked why she behaved so poorly, she spoke with equal candor that she hated feeling out of control and without a voice. Fortunately for Beth, the guiding influence of her final foster father who convinced her of the importance of education, combined with the wisdom of her caseworker who motivated her to seek more for herself than the path she was on, this courageous young woman graduated from high school, got a job with child welfare after college and is now in law school. Hers was a rare success story in that era. Her insights are profound and motivating to us today because we know we can do better. We can avoid this kind of human and financial cost, and as the measured results our current practice prove, we are doing so.

Poet Maya Angelou’s words concisely describe Utah’s commitment to serve children and their families: “Do the best you can until you know better. Then when you know better, do better.”

With research, social science discoveries and evidence of trauma-informed care, Utah believes we can better serve the short and long term interests of those in need of a child welfare system. Supporting safe care for children *in their homes* without separating them from family in foster care is less traumatic and less costly. Additionally, a multi-generation family service approach proves more effective in breaking cycles of dependence on prolonged, expensive government programs.

The opportunity to apply for a title IV–E waiver was ideal for Utah because it allows us to invest in solutions. Our demonstration project called HomeWorks was initiated in late 2013 and is in the process of being replicated statewide through this year.

Without the waiver, the Federal IV–E dollars are limited to supporting foster care services. Now, HomeWorks is allowing us to invest Federal funds toward supports that have much greater value—not only to children and youth by keeping families whole—but also to the tax-payers receiving a greater return on the dollar.

For the average cost of serving one child in a foster care home for 1 year, we are able to serve *11 families* through HomeWorks practice and supports. For the average cost of serving one foster care child in a residential group setting for 1 year, we are able to serve *34 families* through HomeWorks. These are the compelling proofs of the sound business of this practice, while the humanitarian merits of investing in services to keep children safe with family make this approach essential.

For children and youth whose safety can be attained with specified family services in the home, we need not commit them to foster care and the cascade of potentially negative consequences that can follow.

One of our HomeWorks staff worked recently with the family of Jim, a young teen who was on track to enter foster care. He was failing in middle school, had repeated aggression toward his elderly parent—a single grandmother who raised him from infancy—and behavioral outbursts causing concern about harming himself or others. Exhausted and uncertain, Jim’s grandmother prepared to relinquish her child.

Applying the HomeWorks model of practice has preserved him safely in his home, has offered peer parenting to the grandmother, additional extended family are more involved in care and together a school counselor and behavior therapist are working in a coordinated way to support Jim.

This is one of more than 1,000 HomeWorks cases that the waiver has allowed us to serve in this way. We are seeing daily the positive outcomes that result. Rather than providing a temporary fix, we work with families to achieve long-term behavioral change that reduces risk of repeat maltreatment and ongoing involvement with government interventions.

The evidence based tools and strategies of HomeWorks include:

- Structured Decision Making at intake.
- Advanced professional approach to caseworker training.
- Consistent use of the child and family assessment.
- Increased frequency and length of staff time with the family in addition to community supports for sustained family resiliency.

Early results are positive.

In the first region to pilot HomeWorks, we have experienced a year over year growth rate of 11 percent for in home services while the statewide year over year growth was 3.6 percent.

Also, the same region has decreased its population of children in foster care by 4.4 percent from the prior year, compared to the State's average 3 percent reduction.

We respect the temporary nature of a waiver and the time-limited opportunity to learn from what States are demonstrating. Utah is focused on shoring up the practices we have begun; therefore, the Family Stability and Kinship Care Act proposed by Ranking Member Wyden is an encouraging measure.

We would like to see financial investment in child welfare practice informed by evidence. The key components of the proposed bill, including the target population, eligibility determination, service offerings and accountability for outcomes reinforce Uta's experience. Federal statute that emphasizes early intervention, family development and local partnerships that cultivate community ownership for a child's well-being will strengthen this country's child welfare system and benefit our citizenry in total.

We seek to partner with you to finance a system that strengthens families and is accountable to the outcomes of sustained child safety, permanency and well-being. We look forward to the alignment of public child welfare policy, finance and practice for the greater public good.

Thank you.

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QUESTION SUBMITTED FOR THE RECORD TO ANN SILVERBERG WILLIAMSON  
BY HON. ROB PORTMAN

*Question.* How can a uniform definition of "therapeutic foster care services" promote better quality of care and also more accountability in the training of staff and foster care parents?

*Answer.* The Utah Department of Human Services believes that passage of a uniform, national definition would be helpful to public child welfare jurisdictions and to vulnerable families and kin. Standardization of therapeutic foster care (TFC) practice with accompanying consistent expectations will guide better results for children, youth, and families.

A uniform definition will provide baseline requirements and quality upon which States can individually build and expand if they wish.

S. 429 would benefit our State in two key ways:

1. Identify a core of basic services that are essential to serving youth identified as eligible by age and medical necessity to be in need of therapeutic foster care. This would provide consistency across States as to what services are expected a part of the TFC continuum.

This would require providers of TFC services to provide specialized training and consultation in the management of children with mental illness, trauma, other emotional or behavioral disorders, medically fragile conditions, or developmental disabilities to biological families, kin, and foster parents providing this type of family-based specialized care.

2. Requiring national accreditation of any TFC provider agency in order to access Medicaid reimbursement provides an objective, professional baseline equalizing a standard of care across all States for youth needing TFC care. Accreditation of quality from providers will provide parity for TFC services and protection for those accessing the services, just as would be required of physical health experts and quality health plans.

Utah is fortunate to have fewer youth in foster care with a shorter stay than the national average. The ability to provide specialized support for families (whether they be biological, kinship, or foster homes) to address the complex impact of trauma and behavioral health disabilities these families and youth endure can only strengthen our commitment to their well-being when it is necessary for children to be removed from their homes and placed in foster or kinship care.

PREPARED STATEMENT OF HON. RON WYDEN,  
A U.S. SENATOR FROM OREGON

This morning in America, there's likely to be a single mom with two kids, multiple part time jobs, and a big worry. She works long hours to provide for her family, but even then, it's a struggle to pay the bills and keep food on the table. And because her work schedule changes week to week, she's forced to leave her children unattended at times. A neighbor might place a concerned call to Child Protective Services. Once that happens, social workers have to choose between two bad options: breaking up the family, or doing nothing at all to help.

Here's why that needs to change. Whenever you ask anyone who has been through the child welfare system about what could have helped them the most, the answer is often, "helping my mom . . . helping my dad . . . helping my family." But that's just not in the cards when social service workers have nothing to offer but foster care.

Today, kids predominantly wind up in foster care because their families, like that single mom, are caught in terribly desperate circumstances that lead to neglect. Most youngsters in foster care aren't there because of physical or sexual abuse.

Maybe mom or dad needs help covering bills for a month, substance abuse treatment, or connections for child care. Oftentimes, a youngster's aunt, uncle, or grandparents could step up, especially if they have some assistance. In my judgement, every one of those avenues should be explored before breaking a family apart. In fact, it can save resources in the long-run without compromising on safety.

Back in the mid-1990s, there was a debate over whether sending kids to orphanages was the right idea. And I saw an opportunity for our child welfare policies to break into the enormous, untapped potential of kin. So I authored the Kinship Care Act, which said that immediate relatives—aunts and uncles or grandparents—who met the right standards would have first preference when it came to caring for a niece or nephew or grandchild. It became the first Federal law of its kind.

Now in 2015, I see an opportunity for Congress to go even further in helping kids thrive with kin. It begins with letting States run with fresh policies that will support families when they've fallen on hard times. There's already proof that waiving States out of the old-fashioned Federal system can produce results.

My home State of Oregon has a new strategy called "Differential Response," which is all about recognizing that every kid and every family needs a different type of support. The old, two-option system—foster care or nothing—doesn't cut it, so Oregon is going to take a more tailored approach to help families out. The Finance Committee is extremely fortunate to have Chuck Nyby from the Oregon Department of Human Services here today to talk more about where our State is headed.

Strong families mean strong kids. That's the bottom line. And tomorrow, I'm going to introduce legislation called the Family Stability and Kinship Care Act that's built around that principle. The bill will help make sure that more States are able to adopt fresh strategies like Oregon's.

Now, to be clear, this is not in any way a condemnation of foster care. For a lot of kids, going into foster care is a life-saver. It means they're in a safe place where they can grow up and thrive. What this is about is giving kids the best possible chance to grow up in safe, healthy environments, and that often means keeping families together.

I want to thank Chairman Hatch for holding this hearing. He's done a lot of tremendous work on child welfare over the years on a bipartisan basis, and I'm looking forward very much to continuing our partnership.

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## COMMUNICATIONS

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LETTER SUBMITTED BY JANELL BALDERAMOS

Janell Balderamos  
8729 Graves Avenue Apt #14E  
Santee, CA 92071

Hearing Name/Date: A Way Back Home: Preserving Families and Reducing the Need for Foster Care

August 4, 2015

Dear Senator Hatch and Senator Wyden,

I am writing in support of the bipartisan legislation and review of the foster care system in this country. The United States of America's 14th amendment states: "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Each and every citizen of this country has a right to live a life with liberties afforded to them. When a child is removed from a parent's home, many times, it occurs without due process of the law resulting in catastrophic results that impact their families and their rights under the 14th amendment. How can a country that espouses liberty, allow such travesties to happen and expect the rest of the free world to follow along? We need to do better in assisting family's in maintaining their children in their homes, by providing much needed support. We need to stop relegating our responsibilities to agencies "too big to fail." Citizens of this free country deserve better oversight, action, compassion and innovation from their elected officials. Children need their families!

"There are risks and costs to action. But they are far less than the long-range risks of comfortable inaction."—JFK

Janell Balderamos

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## Children's Hospital of Wisconsin

Community Services  
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"A Way Back Home: Preserving Families and Reducing the Need for Foster Care"

United States Senate Committee on Finance

August 4, 2015

Statement for the Record

Amy Herbst, Vice President, Child Well-Being

Children's Hospital of Wisconsin

Chairman Hatch and Ranking Member Wyden, thank you for holding this important hearing on preserving families and reducing the need for foster care.

Children's Hospital of Wisconsin Community Services (Children's) is the largest not-for-profit, community-based child and family serving agency in Wisconsin. Established in 1889, we provide a continuum of care to more than 15,000 children and

families annually. This includes family preservation and support, child and family counseling, child welfare, child advocacy and protection, and foster care and adoption.

Children's is one of two non-profits that provide all case management, out-of-home care, and intensive home counseling in Milwaukee, where 33 percent of the State's foster care population resides. We are also the largest provider of treatment foster care in the State, contracting with 33 counties, and are proud to report the best optimal outcomes when it comes to reunification, adoption or guardianship. Additionally, Children's has partnered with the State through our Children's Community Health Plan to implement a medical home program for children in foster care in six southeastern Wisconsin counties.

We are committed to healthier children and families, and improving the trajectory of their lives. That is why we serve the holistic needs of a child and family through comprehensive, coordinated systems of care that address the physical, mental, and social well-being of children.

We strongly agree that it is important to intervene with high-risk families as early as possible in order to avoid costly foster care placements and ensure a healthy trajectory for children and families. At Children's we have invested in several programs aimed at doing just that. In 2014, we provided parenting training and support to over 4,000 individuals at our Family Resource Centers located throughout the State; we served over 400 individuals through our Community Response program that provides service coordination and family support to families at risk for child abuse and neglect; and served over 600 families through our Home Visiting Program that provides individualized, home-based parenting education and support.

We strongly support changes to the child welfare financing model that currently favors one intervention, foster care, to one that provides more flexibility and funding for targeted evidence-informed preventative services for children and families. We believe that if we intervene early we can promote healthy and stable families that result in better outcomes for children, society, and taxpayers.

To that end, Children's supports the Family Stability and Kinship Care Act which would provide support for front-end family services to help stabilize families and keep kids out of foster care and safe at home or with kin. We recruit and provide kin placements and believe family connections are important for the child's long-term well-being.

We are also encouraged by statements provided at the hearing in support of the Family-Based Foster Care Services Act of 2015, which would establish a Federal Medicaid definition for Therapeutic Foster Care (TFC). This legislation will ensure that children with significant behavior or health challenges continue to have access to individualized, home-based, therapeutic care, and that biological parents and kinship caregivers are eligible for the same specialized training and consultation that treatment foster care parents receive. We hope that the Committee will include this bill in any bipartisan foster care legislation.

Finally, we agree with testimony presented that our child welfare finance system should aim to strengthen families and be held accountable to the outcomes of sustained child safety, permanency and well-being. Specifically, we hope the Committee will consider ways to prioritize evidence-informed well-being focused interventions.

We know through evidence-based research that children who experience neglect, violence or other adverse situations are increasingly likely to face a lifetime of complicated physical and emotional health challenges. For example, children who have experienced maltreatment are:

- Twenty-five percent more likely to have mental health problems, low academic achievement, substance abuse and experience teen pregnancy.<sup>1</sup>
- More likely to be obese, with 12 percent considered severely obese.<sup>2</sup>
- More likely to attempt suicide, with 18 percent having attempted suicide at some point.<sup>3</sup>

<sup>1</sup> Barbara Tatem Kelley, Terence P. Thornberry, Ph.D., and Carolyn A. Smith, "In the wake of childhood maltreatment," *Office of Juvenile Justice Bulletin* (1997).

<sup>2</sup> Ibid.

<sup>3</sup> Anda Felitti, et al., "Relationship of childhood abuse and household dysfunction to many leading causes of death in adults" (ACE Study) *American Journal for Preventative Medicine* (1998) 14(4).

- Eleven times more likely to be arrested for criminal behavior as a juvenile.<sup>4</sup>
- Shown to develop post-traumatic stress disorder at rates of 36 percent or higher.<sup>5</sup>
- More likely to exhibit low self-esteem, aggression toward others and risky sexual behaviors.<sup>6</sup>

While outcomes of programs for at-risk children have improved over the years, more must be done to address the long-term, scientifically proven effects that maltreatment has on a child's physical, emotional, social, and cognitive development.

At Children's, through our Strong Families, Thriving Children work, we provide a comprehensive child and family well-being model—customized to meet each family's unique needs—which focuses on healthy developmental functioning combined with a nurturing environment that helps children thrive into adulthood.

Our program consists of evidence-based interventions and tailored plans, emphasis on child development outcomes, and strength-focused comprehensive functional assessments. The program leverages new interventions designed to break the cycle of maltreatment, starting with more comprehensive trauma assessments that pinpoint priority areas for our services, individualized plans, and a more comprehensive approach to supporting families we serve.

The ultimate goal of Strong Families, Thriving Children is to improve long-term outcomes for at-risk children including: healthy functioning, resilience, positive relationships, self efficacy and sufficiency, economic stability, and reduced public assistance.

We believe strongly that in order to ensure healthy and functioning children and adults, safety and permanency are not enough. Addressing child well-being by meeting the child's development milestones is necessary to create better adult outcomes. In fact, research has shown that a comprehensive well-being approach leads to positive post-foster care outcomes and reduces the average lifetime "cost" of maltreatment.

Currently, there is little incentive in the child welfare financing system to provide the type of interventions that are necessary to better position children to thrive into adulthood. Well-being is not defined in Federal statute and there are not consistent measures related to child and family well-being. We believe that a child welfare system that prioritizes well-being will lead to better outcomes for children, society, and taxpayers.

We strongly support your work to improve the lives of at-risk children and families and hope to serve as a resource and partner as the committee works to advance legislation.

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## THE DONALDSON ADOPTION INSTITUTE

### Statement of the Donaldson Adoption Institute Senate Finance Committee Hearing "A Way Back Home: Preserving Families and Reducing the Need for Foster Care" August 4, 2015

The Donaldson Adoption Institute (DAI) respectfully submits this statement regarding the Senate Finance Committee's August 4, 2015 hearing, "A Way Back Home: Preserving Families and Reducing the Need for Foster Care."

DAI appreciates the Committee's continuing efforts to ensure the safety, permanency and well-being of America's children and youth. Chairman Hatch, Ranking Member Wyden, Committee members and staff are to be commended for convening

<sup>4</sup> English, et al., "Another look at the effects of child abuse," *National Institute of Justice Journal* (251) (2004) 23–24.

<sup>5</sup> P.T. Ackerman, J.E. Newton, W.P. McPherson, J.G. Jones, and R.A. Dykman, "Prevalence of post traumatic stress disorder and other psychiatric diagnoses in three groups of abused children (sexual, physical, and both)," *Child Abuse and Neglect* (1998), 22:759–774.

<sup>6</sup> J. Briere and M. Runtz, "Differential adult symptomatology associated with three types of child abuse," *Child Abuse and Neglect* (1990), 14:357–364.

a bipartisan hearing to understand parent and youth experiences and needs, as well as to share promising practices that provide families the tools they need to succeed.

Since 1996, DAI has worked to improve the lives of children and families across our country and around the world through research, education and advocacy that has led to better laws, policies, practices, and perceptions. To achieve our goals, we investigate the issues of greatest concern to first/birth families, adopted persons, adoptive/foster families, the people who love them, and the professionals who serve them. We then determine best practices and offer policy recommendations working with a broad array of partners in educational efforts and advocacy campaigns.

DAI supports the Family Stability and Kinship Care Act's (S. 1964) cost-effective investments in key child welfare objectives—enhancing family safety and stability, enabling kinship placements, and promoting children's well-being, while preventing unnecessary foster care placements and decreasing foster care lengths of stay. We are grateful to Senator Wyden for seeking input on his May discussion draft, carefully tailoring the current legislation, and incorporating recommendations from DAI and other child welfare organizations into S. 1964.

In general, DAI welcomes the bill's title IV–E funding for family preservation services as a safe alternative to foster care, focus on promising and evidence-based programs, and attention to outcomes, in addition to the title IV–B increased, mandatory Promoting Safe and Stable Families investment in community-based services to support parents and children. In particular, DAI applauds the bill's specific inclusion of adoptive/guardian family eligibility for title IV–E interventions and minimum title IV–B spending requirement for adoption promotion and support to prevent instability and sustain adoptive families.

DAI looks forward to the committee's consideration of S. 1964 in the Fall. Thank you for your efforts to advance child welfare reform and empower parents and children. Please feel free to contact me with any questions or for additional information.

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LETTER SUBMITTED BY DEBORAH PERIN

Deborah Perin  
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August 5, 2015

Senator Orrin Hatch and Senator Ron Wyden  
Senate Committee on Finance  
Room SD–219  
Dirksen Senate Office Building  
Washington, DC 20510–6200

Hearing held August 4, 2015:

“A Way Back Home: Preserving Families and Reducing the Need for Foster Care.”

Dear Senator Orrin Hatch and Senator Ron Wyden,

I am writing to you concerning your hearing, “A Way Back Home: Preserving Families and Reducing the Need for Foster Care.” I would first like to express my heartfelt appreciation for your desire to keep families together and to improve Child Protective Services across the United States. As you pointed out in your hearing mentioned above, family preservation is extremely important to a child's well-being.

It goes without saying, that families across the United States are depending on you to act wisely on behalf of their children. Families are also depending on you to respect the important place each child holds within their respective natural families. That being said, I would like to share with you my perspective on how Child

Protective Services currently runs, and how that organization currently treats natural families.

The best way I can explain the operation of Child Protective Services is to use an analogy and so, that is what I will do. Child Protective Services currently runs like a business full of commissioned sales people. Within this business, The Senate Finance Committee ultimately represents a manufacturer, which sets incentive goals that the commissioned sales people (caseworkers) are expected to attain. Each of the directors for Child Protective Services represents storeowners, and these storeowners tell the store managers (each caseworker's supervisor) to obtain commodities (children) to take advantage of the incentives offered by the manufacturer (the Senate Finance Committee). The storeowners know, that besides the funding offered for placing the commodities (children) in foster care, there is additional funding offered when the commodities (children) are adopted out to new homes. Therefore, these storeowners strongly encourage the store managers to push the sales staff (caseworkers) to attain their sales goals. How are these sales goals met? By conjuring up weak excuses to take and keep children away from their natural families.

**Our federal government states the sales goals very clearly.** These sales goals say, obtain more children and receive Federal funding. Obtain more children, and adopt those children out to receive additional funding. Increase last year's adoption numbers and receive additional funding, as well as increase your chances of earning an adoption excellence award.

In other words, when you put a monetary value on removing children from their natural families, and you incentivize adoption numbers, you are setting "sales goals" for Child Protective Services. When you reward CPS with money when their yearly adoptions numbers increase from the previous years, you are setting "sales goals" for Child Protective Services. If you really want families to stay together, then your "sales goals" need to change to reflect what you want to see happen within CPS. If you continue to fund CPS the way that you have funded them for the past almost 2 decades, then the same problems will remain. In addition, if you just add more money to the mix as you have done with "The Family Stability and Kinship Care Act," but you do not greatly decrease or eliminate the funds supporting child removals and adoption, you will see no significant positive changes within Child Protective Services. Child Protective Services does not act in the best interests of the children. Instead, their actions are based on where the Federal funds are allocated and right now, your funds are heavily allocated toward taking children from their natural parents and adopting them out.

I propose these changes . . .

- Give Child Protective Services much needed oversight. For some unknown reason, a large government organization has been given large amounts of money and a tremendous amount of power, but no oversight. When in history has a large amount of money combined with unchecked power worked out well?
- Consider incentivizing States for a job well done on successful family stabilizations or successful quick reunifications instead of rewarding States for taking children and adopting them out.
- Make the Federal funding under "The Family Stability and Kinship Act" exceed any funding which encourages a child's removal from their natural family and subsequent adoption. This funding difference needs to be significant or kids will continue to be unnecessarily taken from their natural families and adopted out in order for States to take advantage of Federal funds.

Make it clear by not only your wording, but also in the amount of funding you allocate to Child Protective Services and be explicit as to what behaviors you want prioritized. Clearly state what the best options for a child are in a clear concise order.

For instance:

- (1) The child stays with their natural parents and the family is offered stabilization services while they stay together as a family unit (largest amount of Federal funds).
- (2) Place the child with a family member until a reunion is possible and then reunite the child with his or her natural family quickly (second largest amount of Federal funds)

(3) Offer legal guardianship for the child who cannot return home in the short term (*e.g.*, parental drug rehab), but has a family member willing to care for them (third largest amount of Federal funds).

(4) Adoption by a family member, meant for the rare circumstance where a child would end up in foster care permanently (fourth largest amount of Federal funds).

(5) Adoption by a non-family member, meant for the rare circumstance where a child does not have an available relative that can adopt them and the child would end up in foster care permanently (fifth largest amount of Federal funds—lower funding than #4 so relatives are not overlooked).

I would like a point something out about the above statement. If CPS is really about the children and a child cannot go home in the short-term (*e.g.*, parent is in rehab) why not focus on legal guardianship with a family member instead of adoption? With legal guardianship, the child's natural parents could reconnect with their child once the parent has resolved their issues. Keep in mind that many adoptees, struggle with the fact that their adoptive parent's names replace their natural parent's names on their birth certificate because it makes them feel like property and it makes them feel like their lives were unnecessarily rewritten. There may be that rare circumstance where a child would end up in long-term foster care and in that case, adoption may be the best solution for that particular child, but it should not be the current catchall of 15 out of 22 months in care and then automatic TPR and adoption.

- Child Protective Services needs to respect a natural parent's constitutional rights, as they currently do not.
- Stop Child Protective Services from putting individuals on their State Child Abuse Registries whenever they feel like it. Currently, anyone can be added to his or her States Child Abuse Registry by anyone working for CPS. A person is added to this registry without due process, and often without being notified that their name was added to the registry. Did you know that just last month the State of Tennessee made their child abuse registry open to the public? I have also read this year, that there are people pushing to turn the child abuse registries in each State, into a national database, which would be open to the public. If anyone can be added to that list without due process, what form of slander is that? Currently, people on their State's Child Abuse Registry are denied work in schools, adult care homes, day care centers, and the like. If that list is made public, does that mean that an individual's character will be tarnished to the point that they will lose their job even if the job has nothing to do with working with children?
- Give parents due process when their parental rights are on the line. A criminal gets a jury of 12, but a parent who is up against losing their parental rights does not. Why does a criminal deserve more rights than a parent who is up against losing their parental rights forever? Repeatedly, I have read stories of parents who won in criminal court (if criminal charges were filed against them), but they lost their children in the juvenile dependency court. How is that possible? It is possible because the directors and supervisors within Child Protective Services love the Federal funds they receive, and they will do whatever they can to reap those benefits.
- Require that Child Protective Services obtain three additional doctors' opinions when one doctor claims that a child has been abused. In addition, require that Child Protective Services give equal weight to any doctor's opinion that the child's natural parents offer, especially if the doctors are equally or even more qualified than the original diagnosing physician.

*\*As a side note: Child Protective Services should not be allowed to directly pay these additional three doctors to give their professional opinions as neutrality is important, and that quality is severely lacking within CPS right now.*

One tragic and widespread problem within Child Protective Services involves their acceptance of one doctor's diagnoses of child abuse. CPS does not seek a second doctor's opinion at any time before or after a child is removed from their natural parents home. Instead, CPS workers automatically assume that the parents are guilty due to that one doctor's opinion, and they demand that the parents prove that they are innocent. In addition, Child Protective Services fights any second or third doctor's opinions when the child's natural family tries to defend their innocence after their child has been taken from them. This hap-

pens even if those additional doctors are equally or more qualified than the original diagnosing physician.

This behavior within Child Protective Services has caused child abuse numbers nationwide to appear as though they have skyrocketed and give the illusion that more and more child removals are necessary. If in our individual lives, we seek a second or third opinion for our own health, why then would just one doctor's opinion always be right when it comes to an accusation of child abuse?

If Child Protective Services were truly working in the best interest of children, why would they not welcome new information? Is it more important to get to the money The Senate Finance Committee offers, or to get the absolute truth and make sure they are doing the right thing? Again, Child Protective Services acts this way because money is attached to the removal and adoption of each child.

Just think of how much money our government would save by triple checking whether a child should be put into the foster care system or not. The additional cost of those three doctors' opinions, would serve three purposes.

- (1) We would know if a child had been abused or not.
- (2) We would be sending misdiagnosed children back with their families quickly.
- (3) We would be working in the best interests of the child, not in the best interest of each State's pocket book.

Often people who have never been investigated by Child Protective Services criticize CPS because from their standpoint, CPS did nothing to protect a certain child in their neighborhood. On the other hand, people who have been involved with Child Protective Services complain that they grab children too quickly, and they often grab children who were not abused in the first place. From the outside, this would seem like a deeply concerning conundrum. However, is this truly a mystery or a well thought out plan?

After understanding the current pay structure for Child Protective Services and realizing that it highly favors removals and adoption, and after reading the never-ending stories of numerous parents, I think I may have an answer to this conundrum. I believe that we do have a situation where a small number of children are in dire need of removal from their abusive or severely neglectful parents and they do not get the help they need. I also strongly believe there is much larger number of children who are unnecessarily taken from their natural parents.

I believe there are two reasons why these two things happen . . .

*Reason #1*—No one will be able to save every single child all the time from every truly abusive or severely neglectful situation. It is just not logical or humanly possible.

*Reason #2*—The majority of CPS funding highly supports child removals from their natural parents and subsequent adoption. Therefore, it is more beneficial to Child Protective Services to take children who are adoptable and not work so hard to help those children that they deem to be less adoptable.

Which kids are highly adoptable? The children of innocent parents are highly adoptable. The highly adoptable children are happy and healthy and have never been around drug abuse, alcoholism or physical or emotional abuse. However, many of the children I mention are often the children CPS swears up and down need to be removed from their natural families. Why would they do this? Incentives from the Senate Finance Committee. Please do not get me wrong, I do not enjoy suggesting this because I know that it sounds terrible, but corruption like this happens when money and unchecked power meet up with one another.

One other important thing you need to know. Child Protective Services uses "The Adoption and Safe Families Act" rule of 15 out of 22 months, not as an opportunity to work with parents, but as a way to keep parents busy until the 15 months is up. I cannot express the level of grief I have read about repeatedly from parents desperately trying to jump through every hoop placed in front of them during those 15 months (sometimes less) only to be told in the end they just did not do enough. In addition, the natural parents are told that their child has now bonded with the foster parents and it would really be in the best interests of the child to stay with them and be adopted by them. Of course, CPS cre-

ates this unnatural bonding situation by only allowing the natural parents to see their children under supervised visitation for an average of 4 hours a week.

I know that you want to believe that Child Protective Services just needs a little tune-up. I know that what I am saying here sounds sensational and far-fetched. I am aware that you probably think that the things I mention only happen in remote situations where bad workers make bad decisions. I am here to tell you that this is happening all across the United States every day. The massive Federal funds you are allocating to remove children from their natural families and move these children towards adoption, are only working to destroy natural families in America, and they have been destroying them for almost 2 decades. We cannot fix this problem by pretending it is not that bad. We can fix this problem only when we acknowledge the mistakes of the past and work toward improving the future. Please be that change.

Respectfully,  
Deborah Perin

