

the ‘other’ Kentucky lottery

Child Protection & Permanency for Abused & Neglected Children in Kentucky in 2005

The National Institute on Children, Youth & Families, Inc. &
Kentucky Youth Advocates, Inc.

the 'other' Kentucky lottery:

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A Joint Project of

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EXECUTIVE SUMMARY

Neglected and abused children are unwittingly playing the “other” Kentucky lottery

After a six-month comprehensive review of Kentucky’s child protection system, the National Institute on Children, Youth & Families, Inc. and Kentucky Youth Advocates, Inc. have released a report whose major conclusion is *that many abused and neglected children are unwittingly playing “the ‘other’ Kentucky lottery,” a game of chance that determines their current health – and future life path.* In its first finding, the full report finds that the quality of services provided to neglected and abused children in Kentucky is subject to the vagaries of geography – like where a child might live – and the luck of the draw as to which social workers they are assigned. In the full report, the authors quote a school administrator who said: “It’s a lottery for the kids who are abused. Do you feel lucky today?” The state’s child protection services system has unraveled to the point that *some* neglected and abused children are “lucky” to be in a safe and permanent home with people who care for them.

An under financed child protection system: A chronic condition made worse

Besides the inconsistency of the child protection system, the second finding of this collaborative report is that the system is dramatically under financed, a chronic condition that has worsened in the last three years. In this particular case, the under financing began the last year of the Patton administration and has continued in the first two years of the Fletcher administration. The two child organizations that released this report concluded that the current system in Kentucky is held together with bailing wire, duct tape, and the sheer will and tenacity of the good social workers and their supervisors who bind the child protective system in the most tentative way. The under funding occurs because of increases in family poverty and children who are under the care to parents who abuse drugs and alcohol. (In 2003, forty-six percent of Kentucky children lived in families whose income fell 200% below the poverty level.)

Increased “demand” and making difficult choices with the funds at hand

Kentucky’s infrastructure of basic services for families has declined as compared to the need and because of subtle budget cuts that have affected many public and private agencies. From 1999-2004, the state has seen a nearly 40% increase in the number of families and children at risk of abuse and neglect *in their own homes* who require state supervision and services. During this same period, there has been a 21% increase in children placed in more expensive out-of-home care, like kinship care (with relatives), foster care, psychiatric facilities, and private residential facilities.

These out-of-home placements, like foster care, have substantially increased costs to the Department of Community Based Services, the agency that is – by statute – mandated to help dependent, neglected and abused children and their families. In a case of having to make difficult budgetary decisions, the Department seems to have placed a

higher priority on services to children in out-of-home care. But this same level of services is not available to children in their own homes in order to preserve the family – or to reunite the child with his family.

***Where the need is: Dependent and neglected children
living in poor and substance-exposed families***

In what may come as a surprise to many Kentuckians, allegations of abuse account for only 11% of the total number of the children who were removed from their own homes in 2004. Instead it is poverty and lack of parenting skills that are the main reasons why children are removed from their own homes. Three times the numbers of Kentucky children who are abused are removed because they are “dependent” (a child without a caretaker), a group that comprises 34% of all the children removed from homes. But it is “neglect,” where a child is denied something material like food, clothing and shelter, which was the far more likely reason why a child was removed from home. Nearly 43% of the total children removed by the Department and the courts were neglected.

Taken together, dependency and neglect account for the overwhelming number – more than three-quarters – of the total children who are removed from their own homes. But the services that would keep these families together sometimes are not accessible to these families. Services that would reunite children with their parents – after they have been removed – also may not be available for *some* families. The increasing number of children who are growing up in homes where drugs and alcohol create family problems also puts an even greater burden on the Department.

Administrations come and go, but the organizational culture of the state’s social services agency remains the same...

The collaborating organizations that prepared this report found a pervasive sense of gloom and doom expressed by the people who e-mailed or telephoned the KYA hotline in August of last year, the third finding in this report. Specifically, this gloom and doom involved the negative attitudes and behaviors of *some* DCBS workers with whom the respondents came in contact. Not only do *some* state workers treat families badly, they are also dismissive of other professionals (teachers, school administrators, attorneys, nurses, and court monitoring volunteers). This third finding mirrors the conclusions of the so-called 1995 “Workgroup” report commissioned during the Jones’ administration to investigate child neglect and abuse. The full report discloses the implications of the negative attitudes of *some* social workers working for the state. Although there is a cultural problem that pervades *some* of the local offices, e-mailers and telephone callers who accessed the KYA hotline were by no means universally negative. The full report includes two appendices that include complimentary remarks about social workers’ efforts.

Is Kentucky “fast tracking” children into adoptive homes?

The federal government provides financial “bonuses” to Kentucky and other states to encourage them to increase the number of children who are adopted, the fourth finding discussed in the full report. (Kentucky received a \$ 1,074,000 bonus in 2003-2004 for increasing the number of children who are adopted.) As a well-conceived federal idea to discourage children from languishing in foster care, it may have had an unintended consequence: the collaborating child advocacy organizations who prepared this report *ask whether poor families are being fairly treated as Kentucky expedites the adoption of children*. Both child advocacy organizations refer to this process as “*fast tracking*.”

Given the fact that the services may not be available to families where dependency and neglect is identified, the full report asks the question as to whether the Kentucky Department of Community-Based Services has become “too removal oriented.” Because of the increased numbers of allegations of dependency, neglect and abuse that have overwhelmed investigators, the Department’s investigators may “hurry” their decisions and may unnecessarily recommend to the court that children be removed from their own homes. One caller to the KYA hotline concluded that the state was guilty of “*quick triggering*” its decisions to remove children from their own homes. Once a child is removed, two simultaneous processes start that focus on: (1) a case plan directed at “reunifying” the child with her family, and (2) a case plan that places a child in a “foster-adopt” home where she may be adopted by her foster parent. All-too-often because services are not delivered to the families and the goals set for the families may be unrealistic, children may be *steered* toward adoption instead of reunifying the child with his family.

The seventh finding (& the most controversial)

While the collaborating child advocacy organizations relied on aggregate data, one-on-one interviews, and one focus group, the unique aspect of this project was the operation of Kentucky Youth Advocates’ e-mail and telephone call “hotline” which yielded 255 responses from all over the state. These calls and e-mails provided real-life, first-person impressions from social workers, other professionals, court monitors, and biological and extended families. Nearly eighteen percent of the 255 phone calls and e-mails centered on one county. The comments made by this diverse group of respondents were nearly universally negative about this one county. A summary of these comments will be released in a second press conference after the collaborating organizations meet with state officials in several different offices.

Special issues & employee practices

The fifth finding centered on the following special issues that are either longstanding or emerging in nature: (1) domestic violence, (2) drug-exposed children, (3)

disproportionate representation of minority children in the child welfare system, (4) child sexual abuse, (5) “aging out” of older youth out of the foster care system, (6) community partnerships, (7) guardians *ad litem*, (8) adoption disruptions, and (9) collateral damage to children and partners on military bases.

The sixth finding focuses on human resource and personnel issues that affect employee morale and the quality of services delivered by state employees, including: (1) the creation of a “two-tiered” pay scale, (2) excessive paperwork in a high tech world, (3) unnecessary delays in disciplining employees and its effect on morale, (4) the vacancy credit game as a cost saving initiative, or a bureaucratic mess? (5) the low morale of staff, (6) the high turnover among staff, (7) the danger to workers that is inherent in CPS work, and (8) the state’s failure to utilize trained volunteers in Jefferson County to conduct exit interviews with former DCBS staff as they have agreed to do – for free.

Conclusion: We can’t let the solution stay in the ‘too hard to fix’ box

One of our collaborators quoted a state legislator as saying that correcting longstanding social issues, like fixing the child protection system “... is in our ‘too hard to fix’ box.” Citing a 1998 Legislative Research Commission report that concluded that Kentucky’s child protection system has been chronically under funded over the years, the full report concludes by asking of Kentucky citizens, the Governor and his appointed officials, as well as the elected members of the Kentucky General Assembly: *Isn’t it time, once and for all, for abused and neglected children to get the attention they deserve and to put their interests above other lobby groups?*