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Dramatic spike in foster children overwhelming state agencies

Lisa Demer | February 13, 2016



A surprising spike in the number of Alaska children in foster care appears rooted both in a heroin epidemic and a more aggressive response by a state agency to reports of endangered children, state officials say.

The rise, which escalated two years ago, is overwhelming offices beyond the agency most directly involved: the Alaska Office of Children's Services.

A state representative from Fairbanks on Friday proposed legislation to make it more difficult for the state to take children from their parents because of reported abuse or neglect. A national child welfare activist who pushes reforms to keep children at home says Alaska has long been an outlier, taking away higher percentages of children than almost any other state.

But others say the foster children are coming from families with deep troubles who need help. The heroin factor is bringing middle-class families into the child welfare system that typically stay out of the government's control, according to the head of the state Office of Public Advocacy.

The cases land in court and quickly grow beyond the family to include state-appointed lawyers for parents and advocates for children, state civil attorneys and judges, state caseworkers and tribal workers.

"The whole system is being overloaded," said Christy Lawton, director of OCS, Alaska's child protection agency.

In four years, the number of Alaska foster children has jumped 50 percent, from 1,860 in January 2012 to more than 2,800 at the start of this year, according to the agency's figures that Lawton presented to a state House budget subcommittee earlier this month. In just the last two years, the number has grown by 750 children.

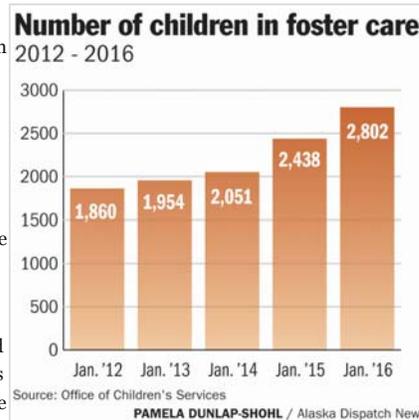
It costs the state an average of \$19,000 a year per foster child, much of that for subsidies to foster parents to cover the costs of another child in the home, according to OCS. The figure doesn't reflect salaries for the agency's staff.

"The numbers are agonizing because the system was stressed when we had 1,700 children to deal with," said state Rep. Les Gara, a Democrat from Anchorage who grew up in foster care in New York.

Gara, who serves on the House Finance Committee and is on the budget panel that oversees OCS, helped secure an additional 26 OCS workers for the current budget year. This year, Gara said, he's just trying to prevent cuts.

Child protection agencies around the country struggle with the right strategy. If they take away children who could be left safely at home, families can be damaged without good cause. But too much emphasis on keeping families intact may lead to children being hurt or killed.

Gov. Bill Walker is asking the Legislature for \$151 million to run OCS for the coming budget year, which starts July 1. That's about \$1.5 million more than the current annual budget at a time of plunging Alaska oil revenues and expected cuts to many agencies.



OCS toughened its approach after an alarming rash of infant deaths as well as findings that children were being repeatedly abused or neglected despite reports to OCS, Lawton said. Some of the babies were sleeping in unsafe bedding or with a parent who had been drinking.

“We were alarmed that bad things were happening to kids,” Lawton said.

Four years ago, the problem of repeat mistreatment was worsening, statistics showed. Almost 18 percent of children for whom OCS confirmed abuse or neglect in the 2013 budget year were repeat victims in the space of a year, she said. That’s hundreds of children and was double the national benchmark of 9 percent.

Another problem was happening at the very start, Lawton said. Workers handling initial reports of abuse and neglect were finding that 60 percent or more didn’t rise to the level of sending out an investigator. The staff screened out nearly two-thirds of the reports before anyone even put eyes on a child. In most other states, that’s the portion of cases that were investigated, she said.

Advocates complained some children were facing severe neglect and serious abuse “and basically nothing was happening,” said Richard Allen, director of the state’s public advocacy agency.

In 2012, Lawton and her top managers traveled the state to work with field managers and supervisors on an examination of cases screened that were investigated further and those that were not. They wanted the workers taking the initial call to critically consider key factors such as behavior patterns and the age of the child.

OCS now is investigating more than half the reports of children in danger. Managers also are doing more to guide front-line workers in cases with infants and young children. In Anchorage, which has seen some of the biggest increases in foster care, OCS is testing an approach in which a manager oversees key decisions in cases involving children under age 5 when there have been at least five prior reports of abuse or neglect.

The percentage of children found to have been repeatedly abused or neglected dropped nearly 2 percentage points from 2014 to 2015.

Drugs ahead of children

All of that attention is sweeping more families into the system.

“These are worthy cases,” said Allen, whose agency includes attorneys who represent parents and court-appointed guardians who advocate for a child’s best interests. “It’s not a matter of a child not wearing clean clothes.”

Heroin has been increasingly showing up across most of Alaska, law enforcement officials say. Public health officials point to a disturbing rise in heroin deaths and overdoses.

Its destructiveness is ripping into families, Allen said. Attorneys, guardians and judges all have told him that heroin addiction is a big factor in many children’s cases.

“You are seeing a demographic of folks that we didn’t normally see before,” Allen said. “We’re seeing middle- and sometimes even upper-middle-class people who are hopelessly addicted to these opiates and they are neglecting their children.”

OCS’s electronic case management system tracks substance abuse but doesn’t yet break out heroin or other drugs as distinct categories, so there’s no hard data documenting heroin’s contribution to the rise in foster children, Lawton said. But anecdotally, it’s a factor, field workers say.

Parents gripped by the drug may not make sure there’s food in the house, Allen said. They may not get their children to school.

They “are putting their drugs ahead of everything else, including the children,” Allen said. “Just basic parenting is falling by the wayside because there is this terrible problem.”

A model: Alabama

Caseloads at OCS are about double the recommended 12 to 15 per worker. But other agencies are reeling, too, and are expecting cuts, not additional staff.

“We’re downstream,” Allen said. “Every time OCS takes a child into custody, we activate two to five professionals. Every time.”

Caseloads for the court-appointed guardians have grown 58 percent over the past year and now average 120 children, he said.

At the Alaska Public Defender Agency, which also represents parents whose children are in state custody, child protection caseloads statewide went up 43 percent in 2015 compared to the year before, said Quinlan Steiner, the state public defender.

“In Anchorage it went up 60 percent,” he said.

Yet for the coming budget year, his agency is facing a cut of \$700,000 or more, which would mean the loss of 10 attorneys, he said.

Attorneys can help design a case plan that will help parents get back on the right track and regain their children. But with too many cases, they end up “triaging what we do,” Steiner said.

More children are coming into foster care than leaving. Some are in the system for two years or more, Lawton said.

This year’s budget request includes an extra \$9 million to subsidize more adoptions and permanent guardianships to get children out of foster care and into permanent homes, Lawton said. About half the money would come from state funds.

The proportion of Alaska children taken from parents for years has [ranked at or near the top of all states](#), said Richard Wexler, executive director of the National Coalition for Child Protection Reform, which pushes programs to keep families intact with intensive help if needed.

He pointed to the example of Alabama, which a quarter-century ago was the subject of a class action lawsuit for its failures in child protection. Its societal challenges run deep, just like in Alaska.

“Generations of poverty. All sorts of legacies of discrimination. And yet Alabama takes away children at a vastly lower level than Alaska,” Wexler said.

[Alabama’s child safety record now is one of the best, according to independent monitors](#). Its rate of repeat abuse is about 1.5 percent, far below Alaska’s 15.6 percent, a figure that Lawton cited as an improvement.

Detailed case plans tailored to individual families are making a difference there, Wexler said.

On Friday, state Rep. Tammie Wilson, R-North Pole, introduced a [bill that aims to make it harder for the state to remove children](#), and to require more help be provided to reunify families.

Legislation sponsored by Gara, the Anchorage legislator, takes a different approach. [His bill aims to speed up the journey through foster care](#), recruit more foster parents, and provide more help for foster children. It has cleared all House committees and is awaiting debate on the House floor.

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