

# Issue Brief | Santa Clara County Children's Agenda

Volume 2 – Number 1 | January 21, 2009

## Helping Santa Clara County Children to Thrive by Decreasing Child Abuse and Neglect

**Overview:** This issue brief looks at the issue of child abuse and neglect, its impact on children and steps we should take to address this issue. In 2007, 1,301 children (ages 0-17) in Santa Clara County were removed from their families due to child abuse and neglect. The rate of removal of African American and Hispanic children is significantly higher than White and Asian children. More than 70% of children are removed for "neglect", a broad category that can include substance abuse, mental illness, absent parent, and medical neglect. It is important that we, as a community, develop strategies to prevent child abuse and specifically neglect in order to prevent children from entering the child welfare system and remain safely with their families.

### **Kids in Common and the Santa Clara County Children's Agenda:**

**Every child safe, healthy, successful in learning, successful in life.**

The goal of the Santa Clara County Children's Agenda is to improve the lives of children by focusing on improving thirteen indicators of child well-being. The Children's Agenda is a focused, integrated initiative that engages all segments of our community and provides a common vision for our community's children. It forces us, as a community, to move from data to action and to be accountable for how our children are faring. By working together with common goals, we are acting intentionally rather than reactively to current demands and problems. These outcomes guide our work. The thirteen indicators of the Children's Agenda are:

- Routine Access to Health Care
- Healthy Lifestyle
- Early Social Emotional Health
- Developmental Assets
- Readiness for Kindergarten
- Third Grade Reading Scores
- Eighth Grade Math Scores
- High School Graduation Rates
- Children Fluent in at Least Two Languages
- Child Abuse and Neglect
- Childhood Hunger
- Juvenile Arrests
- Community Values Youth

**For more information on the Children's Agenda and to read previous Issue Briefs go to:**  
[www.kidsincommon.org](http://www.kidsincommon.org)

### **What It Is and How It's Measured**

California state law defines child abuse and neglect as physical injury (i.e. beating, shaking, or burning), sexual abuse (exposure, sexual stimulation, rape), emotional abuse (persistent shouting, shaming, embarrassing) or neglect (malnutrition, unsafe conditions, failure to provide for physical care). The incidence of child abuse and neglect crosses all social, economic, and ethnic boundaries, and can be exacerbated by unemployment and poverty, social isolation, family breakup, substance abuse, and other stresses. Child abuse and neglect is measured by the rate of substantiated cases of abuse.

### **Why Child Abuse is Important**

Children who are victims of abuse or neglect are more likely to suffer from depression, substance abuse, learning and behavioral difficulties in school, and attempted suicide. Further, they are more likely to participate in crimes and misdemeanors, mistreat their own children, and become involved in intimate partner violence as adults.

Recent research in neuroscience reveals that traumatic experiences like physical abuse, sexual abuse, and neglect dramatically affects both the structure and chemistry of the developing brain. Studies show that "When a child experiences chronic or extreme stress, the brain releases chemicals that prevent neurons from growing and forming connections with each other, thereby impeding the development of healthy brain architecture."<sup>2</sup> In addition, brain development of a child occurs in the "context of his/her environment and a wide variety of relationships."<sup>2</sup> The biological effects of trauma could be one reason why many children in the child welfare system have behavioral and learning problems. Separation from the primary caregiver can also be traumatic for a child under the age of six, making for difficult decisions for social workers and others who have the responsibility to protect our children when faced with child abuse and neglect.

### **Overrepresentation of Children of Color in the Child Welfare System**

One study from San Jose State University reports that African American, Hispanic, and Native American children are overrepresented in the Child Welfare System (CWS), while Asian American/Pacific Islander and White children are underrepresented.<sup>1</sup> Data on the next page shows that a higher rate of children of African American and Hispanic children are entering the system than are children of White and Asian ethnicity.

The issue of overrepresentation is not limited to Santa Clara County. To address overrepresentation, there is a need to systematically investigate the factors associated with it. Literature discusses that often the services ordered for families of color are generally limited to a one-size-fits-all approach and to a small array of available services.<sup>1</sup> The reliance on traditional formal services does not appear to meet the needs of these highly diverse ethnic/racial family groups.<sup>1</sup> For example, referrals to services sometimes do not meet families' needs nor keep children safe or out of the child welfare system. There is a need for preventative and early intervention services for vulnerable families of color who are at-risk of entering the system.

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## What the Data Tell Us

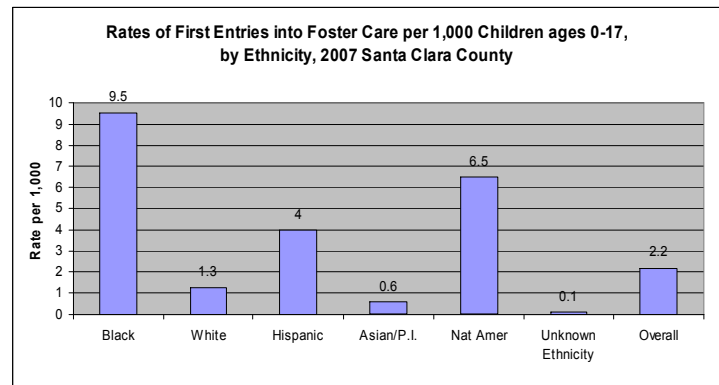
In 2007, 1,301 children (ages 0-17) in Santa Clara County were removed from their home and placed in foster care because of child abuse or neglect. The rate of removal for African American children was 9.5 per thousand and for Hispanic children was 4 per thousand. This rate of removal is significantly higher than the removal of White (1.3 per thousand) or Asian/Pacific Islander children (.6 per thousand). In 2007, 53.3% of the removals were due to neglect compared to 30.6% being removed for physical abuse and 13.1% being removed for sexual abuse.

## Needed: More Data on Neglect

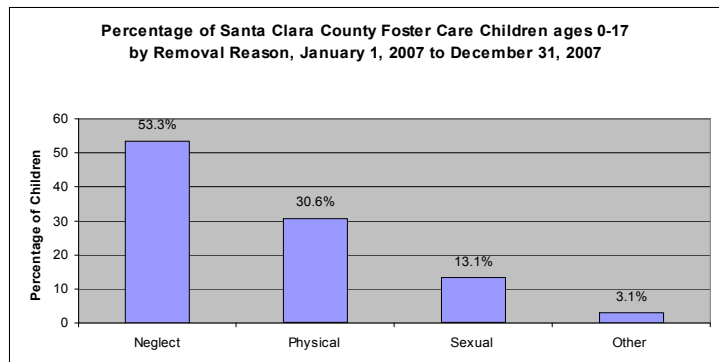
As the data show, neglect is the category where most of the allegations that lead to the removal of a child from his home fall. Yet this category is broad and may include a wide range of reasons including malnutrition, unsafe conditions, parental substance abuse, parental mental health problems and failure to protect a child from harm by another. Administrative data systems designed to collect this information do not collect information on the specific nature of the neglect. If this information could be collected in a systematic manner, we could, as a community, design prevention strategies that may prevent removal in the future. Such information may also give us insight into how to address the disproportionality of African American and Hispanic children in the system.

Dr. Amy D'Andrade, of San Jose State University, conducted a study this past year focused on reunification services in the child welfare system. The study, funded by CalSWEC, examined a random sample of 154 children entering foster care in one Bay Area county in 2004 who had at least one parent ordered to receive reunification services.<sup>4</sup> As part of this study, Dr. D'Andrade considered both the legal reason why children were removed from their homes by the child welfare agency, *and* the kind of maltreatment the children experienced (as described by the social worker in the jurisdictional court reports and/or detention reports). The data provide a sense of the variety of maltreatment experiences that are covered by the legal code for "neglect" (W&I Code 300(b)).

Of the 154 children in the sample, 88 were removed solely for the legal reason of neglect. The table to the right displays the kinds of maltreatment actually experienced by these 88 children. Maltreatment experiences varied widely, from inadequate food or housing and lack of supervision, to maltreatment related to domestic violence or substance abuse, and even included physical and sexual abuse. The wide variety of maltreatment experiences and family problems of these children suggests that the treatment of neglect should be varied as well, with interventions targeted at specific family issues, rather than focused on the problem of "neglect" as a whole.



This chart shows the rate of first entries into the foster care by age and ethnicity for Santa Clara County. (Source: Child Welfare Services Reports for California. Retrieved 11/25/08, from University of California at Berkeley Center for Social Services Research, <http://cssr.berkeley.edu/CWSCMSreports/>)



This chart shows the reason of removal by percentage for Santa Clara County. (Source: Child Welfare Services Reports for California. Retrieved 11/25/08, from University of California at Berkeley Center for Social Services Research, <http://cssr.berkeley.edu/CWSCMSreports/>)

Maltreatment experienced by children removed for legal reason of neglect (n=88)		
Type of Maltreatment	n	%
Physical abuse	7	8%
Sexual abuse	1	1%
Lack of supervision	32	36%
Inadequate food or housing	20	23%
Medical neglect	5	6%
Parent failed to protect child from abuse by another	10	11%
Emotional cruelty	4	5%
Child abandoned over 24 hours	6	7%
Child witnessed domestic violence	20	23%
Child born postox	13	15%
Child exposed to drug paraphernalia/dangers	32	36%
Other	28	32%

This chart shows the type of maltreatment experienced by children in one California county removed from their homes for neglect. (Source: Dr. Amy D'Andrade, Assistant Professor from the School of Social Work at San Jose State University, 2008)

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## Two Promising Approaches to Address Child Abuse and Neglect:

### Differential Response:

Not every child that comes to the attention of the Department of Families and Children Services (DFCS) meet the criteria to substantiate an allegation of child abuse and neglect. However, in many of these cases, the child will enter the system at a later date. Had steps been taken upon the initial allegation to provide supports to the family, this later entry may be prevented. In order to address this problem, *Promoting Safe and Stable Families* (a federal funding program) was the first to provide funding in September 2006 for a **Differential Response** system. Soon afterwards FIRST 5 Santa Clara County funding support followed. The goal of this new system is to prevent issues from rising to the level of abuse, make services more responsive, and keep children safe.

Differential Response takes effect after an initial call to DFCS has been made. By differentiating the level of risk among families, DFCS can provide services to at-risk families without a formal investigation and determination of abuse and neglect. In addition, it allows DFCS to work with community partners to develop strategies to help families from entering into the child welfare system while still ensuring child safety. Differential Response is a four-path system. In **Path 1**, families are referred to a community-based organization (Gardner Family Care or FIRST 5's Family Partners) for services and support. This path assumes there will be no further involvement of DFCS unless there is a change in circumstances. Families referred to Path 1 are those families for whom there is no immediate risk of harm for the children.<sup>3</sup> In **Path 2**, DFCS works more closely with community-based organizations (Gardner Family Care and Sacred Heart Community Service) to help families with low to moderate risk. Safety may not be an immediate concern, but the risk of harm is present. (DFCS also provides Path II services in the form of Voluntary Family Maintenance and Informal Supervision services).<sup>3</sup> In **Path 3**, DFCS has determined that there is the likelihood that the children are unsafe and the risk is moderate to high of continued harm and formally substantiates the allegation of abuse (Path 3 is handled by DFCS).<sup>3</sup> Last, in **Path 4**, FIRST 5 Family Partner agencies provide "after-care" support to prevent the re-occurrence of abuse for families who have been in the system.<sup>3</sup>

**Differential Response** was fully implemented in 2007. Since that time, there has been a decline in first entries into foster care in Santa Clara County. The number of allegations of abuse (calls to the Child Abuse Hotline) actually increased from 14,560 allegations (April 2006 through March 2007) to 14,761 allegations (April 2007 through March 2008). During the same period, the number of children who had a first entry into the foster care system declined from 887 (April 2006 to March 2007) to 624 children (April 2007 through March 2008). This represents a 29.7% decrease in children who had a first entry into foster care. This decrease may indicate that differential response has helped stressed families, brought to the attention of DFCS, get needed services and supports and prevented child abuse from rising to the level where it was necessary to remove the child.

### Special Focus: Family Wellness Court

Once a family is involved with the child welfare system, reunifying the child with the parent is a priority. To ensure the best possible outcomes for children and families, Santa Clara County implemented a **Family Wellness Court** (FWC) in March 2008. This court was funded in October 2007 by a total investment of \$6.3 million by the U. S. Department of Health and Human Services with matching support from FIRST 5 Santa Clara County. FWC is modeled on the Family Treatment Drug Court (FTDC) and is a collaboration between FIRST 5, the Social Services Agency, and many community-based organizations.

FTDC has been designed to work with substance abusing parents involved with the child welfare system. FTDC has three purposes:

- Provide a substance abuse assessment and treatment plan in the context of juvenile dependency proceedings so a parent will have a fair opportunity to recover from addiction and correct the conditions that necessitated removal of the child, making it possible for the parent to reunify with his or her child within the strict Adoption and Safe Families Act (ASFA) timelines.<sup>5</sup>
- Utilize the strengths of the drug court process to improve a parent's chances of success in treatment and recovery.<sup>5</sup>
- Provide the client with a new vision of life, one that will lead to long-term stability and to help each client realize that vision.<sup>5</sup>

The ultimate goal of this program is to prevent future abuse of children and reunify children with their parents. One study reports that FTDC is an effective program because "mothers who participate in FTDC experienced higher rates of treatment completion, which in turn was associated with higher rate of reunification."<sup>6</sup> The outcomes of this program have been:

- FTDC parents were more likely to enter treatment, entered treatment more quickly, stayed in treatment longer, and were more likely to complete treatment, compared to non-FTDC parents.<sup>6</sup>
- Children of FTDC mothers spent fewer days in out of home placements and were more than twice as likely to be reunified with their parents, compared to non-FTDC children.<sup>6</sup>
- FTDC participation contributed to the likelihood of reunification above and beyond its effects on treatment.<sup>6</sup>

**Family Wellness Court** is child focused to provide early intervention for the family. This is a departure from the traditional FTDC which focuses heavily on the parent and the addiction. FWC aims at catching developmental delays and other impacts from the substance exposure in utero. The results above show that investing in drug treatment programs are beneficial for both parent and child, and the community at large. During the next year, FWC will concentrate on a target population of family's with children ages 0-3 and provide them with early intervention services that will help them stay together.

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## Recommendations to Address Child Abuse Rates in Santa Clara County

Often, children who enter into foster care have poor outcomes such as homelessness, teen pregnancies, entry into the juvenile justice system and dropping out of school. If we take steps to support families under stress and address issues such as parental substance abuse and poor mental health, we can prevent the trauma of abuse and neglect and the trauma a child faces when removed from his or her primary caregiver. At Kids in Common, we believe the following recommendations can help prevent child abuse and neglect and keep children in safe and stable families:

**Recommendation 1:** It is important that we understand the nature of the allegations of child abuse in order to develop appropriate prevention strategies. Since the overwhelming percentage of child abuse cases are in the category of neglect, we must take steps to **establish a system to identify the type of neglect** that leads to entry into the foster care system and develop additional strategies to prevent it.

**Recommendation 2:** Fully implement the **Program Enhancement Goals** as presented on 11/13/08 to the Board of Supervisors' Children, Seniors and Families Committee.<sup>7</sup>

**Recommendation 3:** Continue focusing on **identifying the causes of overrepresentation of children of color in the child welfare system** and provide strategies to address this issue.

**Recommendation 4:** Continue and expand funding for **Differential Response** as there appears to be a correlation to the decrease in the number of children being removed from their families.

**Recommendation 5:** Support the full implementation of **Family Wellness Court**. Monitor the results including children reunifying with parents and whether or not child abuse reoccurs.

Over the past several years, Santa Clara County DFCS has undertaken major improvements in practice and policy to improve outcomes for children and families facing child abuse and neglect. However, DFCS primarily focuses on providing intervention after abuse or neglect has occurred. It is important that as a community, we take steps to prevent child abuse and neglect and institute strategies to support children and families to ensure that children are kept safe and families remain together whenever possible.

### Sources:

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5. Edwards, Judge Leonard & Ray, Judge James. *Judicial Perspectives on Family Drug Treatment Court*. Juvenile and Family Court Journal. 2005. pp 3 & 17.
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7. The Program Enhancement Goals Recommendations can be found at <http://www.sccgov.org/keyboard/attachments/Committee%20Agenda/2008/November%2013.%202008/202190966/TMPKeyboard202486209.pdf>

**The Children's Agenda** is being led by Kids in Common, a 501(c)(3) non-profit organization.

**Kids in Common advocates for policies, partnerships and investments that improve children's lives in Santa Clara County.** Children need a strong public voice – a voice that promotes and protects their best interests. Kids in Common is that voice and challenges leaders and decision-makers in our community to act on behalf of children.

As the only organization that focuses on systemic change to improve children's lives in Santa Clara County, we convene agencies that care about children's well-being. We advocate for effective investment and policies for children and support the mobilization of public and private resources to meet those needs. We inform decision makers on best practices and champion local implementation. Kids in Common is steadfast in speaking and acting on behalf of children and brings a uniquely qualified perspective that is grounded in research and data. Our work is driven by the question, "Is it good for our children?"



**For the most current data on how Santa Clara County children are faring, go to:**

[www.kidsdata.org](http://www.kidsdata.org)