Barbara Hollingsworth
An alternative to foster care’s ‘toxic intervention’

In the “Jeopardy” category of dubious offenses against the state, you’ve probably heard of DWB (“driving while black”), but what about PWP (“parenting while poor”)?

University of Michigan law professor Vivek Sankaran, one of the nation’s top legal experts on foster care, estimates that only 6 to 7 percent of the 500,000 children in foster care nationwide are victims of severe physical or sexual abuse. However, two-thirds are from poor families.

Law students of University of the District of Columbia professor Matthew Fridain also discovered that 40 percent of the District children taken into foster care could be returned to their families within a week; 60 percent within three months.

“More than enough time to do enormous emotional damage,” said Richard Wexler, executive director of the National Coalition for Child Protection Reform, at an eye-opening, soul-searing symposium on foster care at UDC. “It’s almost certain that you never needed to tear that family apart in the first place.”

Most child protection agencies still employ harmful take-the-child-and-run policies even though foster care is legally supposed to be a last resort. A Massachusetts Institute of Technology study of 15,000 children found that those left at home had better outcomes than comparably maltreated children in foster care.

“Foster care is an extremely toxic intervention that should only be used in small doses,” Wexler said, adding that the “foster care industrial complex” does not understand the harm it does by unnecessarily taking a child away from everything familiar, which he says is akin to a kidnapping.

Foster care placements in the District rose 41 percent in 2008 following the gruesome discovery of the bodies of Banita Jacks’ four daughters in her Southeast row house. But the D.C. Child and Family Services Agency missed this very real abuse because it was too busy harassing poor parents.

Black families are disproportionately represented in D.C.’s foster care system, according to Kristen Weber, senior associate at the Center for the Study of Social Policy. Last November, 94 percent of the children in CPSA custody were African-American, even though they make up only 67 percent of the city’s child population. Foster care “compounds the disadvantages” black children already face, Weber said.

“There’s no comfort in the fact that most people in the system mean well,” Wexler says. “The road to foster care hell has always been paved with good intentions.” And don’t believe the old canard that CPSA would do a better job if it had more money.

“CPSA is rolling in dough,” Wexler pointed out. “I’m a tax-and-spend liberal and proud of it, but the District already spends more on [child welfare] than any place other than Vermont. It’s absurd to spend more. We need to spend smarter.” And smarter means eliminating the financial incentives that reward bureaucracies for tearing families apart.

The experts also recommended opening up family courts to public scrutiny as a prerequisite to reforming the system. No state that has done so has subsequently reversed its decision.

Finally, providing families with intensive legal and social services within 72 hours of opening a case file can dramatically lower the number of children taken into foster care. Sankaran says that of 59 families who received assistance from the University of Michigan’s Detroit Center for Family Advocacy, none was sent to live with strangers. Being poor is bad enough.

By Thomas J. Donohue
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As policymakers debate proposals that would radically transform the health care, energy, and financial sectors, they must not overlook the critical role that innovation and creativity play in job creation. Intellectual property (IP)—the ideas behind the goods and services we rely on—is a key driver of economic growth, accounting for more than 18 million jobs. In fact, IP-intensive industries—such as pharmaceuticals, entertainment, and software—are expected to continue creating jobs at a faster pace and paying better than the national average. Congress and the White House must take steps now to protect American IP rights and the jobs they will create.

The U.S. Chamber’s Global Intellectual Property Center (GIPC) is encouraging lawmakers to embrace a pro-IP agenda that emphasizes the following priorities:

First, policymakers should fully fund and implement the PRO-IP Act of 2008. This legislation strengthened the tools available to law enforcement as they fight counterfeiting and piracy and created America’s first Intellectual Property Enforcement Coordinator, who, we hope, will send a national IP strategy to Congress by the summer.

Second, Congress should pass legislation to improve the capabilities of both U.S. Customs and Border Protection and Immigration and Customs Enforcement. These agencies play an important role in stopping counterfeit products from entering the United States. This not only saves American jobs, but in the case of fake brake pads, antifreeze-laced toothpaste, and other dangerous fakes, it saves American lives.

Third, to address the international nature of IP theft, the Obama administration must secure a comprehensive Anti-Counterfeiting Trade Agreement. This agreement must be substantive and enforceable, build on existing international rules, and complement the IP provisions of pending free trade agreements.

Finally, the federal government must address the growing problem of IP theft on the Internet, particularly from rogue Web sites that traffic in illicit goods. This will require everything from the administration encouraging foreign governments to crack down on counterfeiting and piracy to preserving the right of Internet service providers to use reasonable methods to prevent the distribution of illicit content.

The time has come for policymakers to protect our most important competitive advantage—the creativity of the American people. This is just as relevant for small businesses building more efficient water heaters as it is for big companies investing in lifesaving drugs. In either case, the ideas that power their businesses—and that lead to job creation—must be protected.

Learn more at www.theglobalpcenter.org.