D.C. Social Workers Remove More Kids
Agency More Conservative Since Deaths

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The removal of children from their homes has spiked since Banita Jack's four dead daughters were discovered in early January, months after a D.C. social worker closed the family's case.

The fear of another such tragedy is fueling a social services philosophy in the nation's capital that experts say carries its own perils: "When in doubt, pull them out."

Sharlynn Bobo, director of the D.C. Child and Family Services Agency, says it is not a mandated policy to remove more children from their homes and place them in foster care, as has been the case in other jurisdictions reeling from similar incidents.

But that is often the reaction of social workers, who watched in horror as the Jacks case unfolded and were devastated when their colleagues who worked on the case were fired.

"I would not deny that, in an abundance of caution, my staff became more conservative. That's logical, it's natural, it's human," Bobo said. "But I would also assert that we are not just randomly removing children, either."

A month-by-month comparison of agency statistics shows an increase of about 20 percent in child removals in three of the first four months this year. The most extreme increase, which the agency highlights in its reports, shows a 71 percent increase be-
FOSTER Care System Is at Capacity

D.C. Cases Increase Sevenfold; Foster Care System Is at Capacity

between the 48 removals done in December, the month before Jack's situation was discovered, and the 82 removals in March. In April, the number was down to 75, still higher than the 72 children taken in January and the 63 in February.

The increase is straining the overburdened foster care system and sapping the strength of a child welfare agency that is still mending after years of reform.

"With regard to removing children now, since the Jack case, yes, we have seen an increase in the removals. It's roughly double over the time period," Bobo said. "And I think some of that is certainly attributable to the existence of the Jacks case, but part of that is directly tied to the level of calls."

The city agency has been overwhelmed by a sevenfold increase in open cases of abuse or neglect since the Jacks case made national news, a crisis known as "the surge" in the welfare agency's parlance. School social workers in particular have flooded hotlines, thanks to the example set by a school social worker who was the only one to report her suspicions about Jacks.

The agency has regularly issued reports, "Tracking the Surge," that show that in December the agency had 305 open cases and a caseload that reflected national standards: an average of 12 cases per social worker. Last month, there were 2,110 open cases and the average caseload was 20, but a large portion of the social workers had at least 30 cases on their desks, according to agency records.

Bobo said the situations that have sent children into foster care since the Jacks case are largely similar to those before. Last year, 68 percent of the children going to foster care were there because of neglect, 18 percent because of physical abuse and 13 percent because of a parent's drug use, according to city records.

Social workers have always wrangled with the what-if's in every doorstep decision about a child's future. But now, making one wrong decision has a name: Banita Jacks. Add to this the pressure of watching D.C. Mayor Adrian M. Fenty (D) swiftly fire six social workers connected to the case, including supervisors and hotline operators. Agency workers might be acting out of fear rather than sound social work philosophy, according to some experts in the field.

Anecdotally, several child advocates say they have seen a remarkable uptick in cases that were quickly thrown out by judges this year, suggesting that the children should not have been removed. Some advocates say children are harmed by days or weeks away from their families when they are placed in the homes of strangers.

The basic tenet underpinning foster care is "if you remove a child from the home, the child will be safe. If you leave a child at home, the child is at risk," said Richard Wexler, executive director of the National Coalition for Child Protection Reform. "In fact, there is risk in either direction, but real family preservation programs have a better record for safety than foster care."

Removing a child can make the situation worse, some family law experts said. "Even if maltreatment is occurring, separating children from their caretakers often imposes an unnecessary additional trauma," said Matthew Fraidin, associate professor of law at the University of the District of Columbia. "What's much more effective and cheaper is not removing the kids and providing intensive services in the home."

In the District, advocates worry that placing too many children in foster care also endangers the small percentage of children who are in imminent danger.

"If this tragedy and the subsequent actions taken by the administration result in chasing good workers and good foster and adoptive parents away — or causes them to act solely out of fear of risk — we will then have made our city's most fragile children even less safe than before, and the District will have failed them again," said Margie Chalofsky, director of the Foster and Adoptive Parent Advocacy Center, in her testimony before the D.C. Council's Committee on Human Services last month.

On Jan. 15, six days after Jacks was found in her home with her dead daughters, Chalofsky warned city officials in a public hearing that they must "protect against a backlash from this tragedy that may cause workers to be afraid to keep children in their birth homes and thus would put many children who could safely be maintained in their families into the foster care system."

Her prediction mirrors what happened in New York in 1996, after the death of Elisa Izquierdo, a 6-year-old girl known to the child wel-
are system who was killed by her mother. Less than two months after Elisa died, the city created a special unit to focus on vulnerable children and issued a statement to social workers that was reiterated by Mayor Rudolph W. Giuliani in his 1997 State of the City address: “Any ambiguity regarding the safety of the child will be resolved in favor of removing the child from harm’s way.”

The New York agency struggled for years with a surge in reports, a rise in foster care placements and the need to enact reforms. It took four years to begin, in earnest, swinging the foster care pendulum the other way, supporting “family preservation” as the preferred course of action.

It’s not just those children brought into foster care during a surge who could suffer.

The increase in child removals might also have a devastating effect on the agency as a whole, warned Judith Meltzer, the court monitor appointed by federal courts to watch over the D.C. Child and Family Services Agency.

“A ‘ripple effect’ is likely if the number of children in foster care continues to increase significantly; performance may decline on other LaShawn requirements related to in-home services and foster care caseloads, visitation, appropriate placement and service provision, for example,” she wrote in a March progress report tracking the state of the agency since a 1989 court case, LaShawn A. v. Barry, sent the agency into federal receivership for eight years.

The drop in services to foster children within the system is evident. In December, 38 percent of the children in foster care who were on the road to reunification with their parents got to visit with them weekly. In January, as the agency began receiving a flood of calls following the Jacks case, that number dropped to 33 percent, then to 27 percent in February, according to the monthly performance scorecards issued by the agency.

That is a sore spot for the agency, because reuniting children with their families is one of the main ways that foster homes stay available for incoming children.

The foster care system is at capacity with about 2,240 children, Bobo said. But she said she is proud that not once during the surge has a child had to spend the night in the agency’s offices, something that was commonplace a decade ago.

While the agency works to recruit more foster families in a city where foster care is not a natural fit for the changing demographics, it also is looking for creative solutions. There is a program that gives impoverished grandparents a subsidy for taking their abused grandchildren into their homes and another that makes it easy for children to stay with relatives across state lines. Workers are trying to recruit the wave of singles buying condos in the city and empty nesters who miss having children in their lives.

A recent recruit is Dora Thomas, an empty nester and federal worker who has had her home filled with foster children — often two at a time — for the past two years.

“If only we could clone Dora,” agency spokeswoman Mindy Good said.

Sometimes, Thomas said, the turnover in children was so fast that she barely had the chance to change the sheets in her spare room before the next child came in.

Most foster parents love taking in babies, leaving the District’s disproportionate majority of teens in the cold. But not Thomas. She said she favors the opportunity to give teens a safe haven.

She grew close to a girl who came with stitches on her head and a broken arm, and she fell head over heels for the two brothers who taught her some Spanish. She maintains the same phone number, in case her foster kids decide to get back in touch. Some do.

Most of her placements come about midnight, children who didn’t even have suitcases for their clothes and arrive at a stranger’s home with their possessions in a grocery bag.

“There was one little girl who asked me, ‘Do I sleep on this couch?’” Thomas said. “She couldn’t imagine that someone had a bed ready, just for her.”