

Child (or agency) Protection?

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“You guys do more damage to kids than the parents!”

The above observation uttered by a loving parent is echoed by many. Most Child Protective Services Supervisors and caseworkers would consider it malicious slander.

As a Child Protective Services caseworker of eight years, however, I know it to be true.

I’m not alone.

Consider the following irony lamented by Duke Law Professor, Doriane Lambelet Coleman (2006):

“...in the name of saving children from the harm that their parents and guardians are thought to pose, states ultimately cause more harm to many children than they ever help.”

Few in the field argue that Child Protective Services (“CPS”) nationally has myriad problems that are well documented in the form of media, research, congressional sub-committees and expert reports. Documentation supporting this fact is ubiquitous and readily available on-line.

However, the most grievous problem is that those who can most benefit from this knowledge, those who might use it pragmatically to improve the lives of children and families - the caseworkers and supervisors of CPS - appear either ignorant of or indifferent to the damage that removal of children perpetuates.

That is: the most profound problem with “Child Welfare” is that it is not about the welfare of the child.

Rather, it is about the welfare of the agency itself.

The internal paranoia that a “Cover-Your-Agency” (CYA) mentality creates has become so pervasive that most caseworkers and supervisors are determined not to make any decision that might jeopardize their career... and the children are afterthoughts.

The agency hierarchy itself reinforces this CYA mentality due to its' understandable desire to remain off the front page of newspapers.

This “defensive social work” is helpful in preventing bureaucrat heads from rolling.

"...it has become undeniable that despite many saintly foster parents, the government makes a poor parent. The research shows unequivocally that CPS should be loathe to remove kids from their homes because, in most cases, there is nowhere better to put them."

The tragic wake of this status quo, however, is strewn with the lives of children and parents.

Estimates I've come across in my research reckon that between one-third and two-thirds of those children currently in foster care nationally should be living with their parents.

Furthermore, it has become undeniable that despite many saintly foster

parents, the government makes a poor parent. The research shows unequivocally that CPS should be loathe to remove kids from their homes because, in most cases, there is nowhere better to put them.

As a result, the state is stuck between a rock and a hard place: remove children from marginal parents, causing well documented, irrevocable emotional damage (not to mention the physical and sexual abuse that occurs more frequently in foster care), or leave these children with parents who, arguably, should never have had kids in the first place—the “lesser of two evils” if you will.

Enter the “Safety Model.”

The state of Oregon has become one of the last ten percent of our nation’s states to adopt a “Safety Model” guide to protecting our children, created by Wayne Holder, the man Oregon CPS has called the “foremost expert in child protection in the nation.” (I encourage anyone interested to visit his website at www.actionchildprotection.org to understand Mr. Holder’s credentials and the Safety Model as a whole.)

“What do I have to do to get my kids back?”

Those of us in CPS have all heard it. It is inevitably the first question our clients have and it is echoed frequently until the kids are returned.

The Safety Model forces Child Welfare to quantify their answer to this question.

In my experience, most families don’t care how long CPS monitors (or micromanages) their family as long as their kids can live with them in the process. Mr. Holder would probably cite this as THE driving force behind the creation of the Safety Model.

In quantifying their answer to parents’ most pressing question, CPS must delineate for all parties and the court, the necessary “behaviors,

conditions or circumstances” in the home required to “manage”- not eliminate- the safety threats that necessitated the removal of the children.

The agency’s answers must be “specific” (i.e. quantifiable). They must be “well articulated.” They must be “least intrusive.” They must be “well defined.” They must provide a “benchmark” (i.e. they must be measurable). They represent the “official record and expectation” for parent-child reunification.

The parents themselves need not change at all prior to the children being returned to the home.

" The Safety Model provides a useful tool that, if used correctly, can save many children from the fate of CPS being their only perpetrator." The Safety Model, in addition to its dictates that CPS be as “least intrusive” as possible in intervening to control threats to child safety, requires that these threats be “observable and specific,” “out of control,” “imminent” and expected to cause “severe” harm to a “vulnerable” child.

No doubt for many of you this is a hard pill to swallow. These are unreasonably low standards for our most precious resource.

You, like me, think children deserve more.

The fact remains, it is irresponsible at best and abusive at worst to remove and/or withhold a child from his or her home upon the speculation that a “threat” of danger exists, when we know from the research that removal and placement of children in foster care is always detrimental.

I’m not talking here about severe neglect or physical/sexual abuse.

In five years with Oregon CPS (I worked for three in California previously) I have had only one case with such abuse (and the research

puts this type of abuse at about 15 percent combined).

The Safety Model is merely a tool, an attempt to minimize the trauma to children inflicted by their own government. There is no tool or legislation that will ever completely expunge child maltreatment or child deaths so long as the only requirement for parenthood is a capacity for coitus.

I believe that if the state institutes a model, a tool envisioned by the “foremost expert in child protection in the nation,” the state should actually use it.

That is, if CPS is making the rules, they should follow them.

Currently CPS (at least in Oregon) is not, or not consistently.

The sad yet necessary truth is that it is not the job of Child Protective Services to pick the best available situation for kids and place them there permanently.

That would literally be kidnapping.

Rather, it is the job of CPS to work with marginal parents and make them “safe” or capable of providing a “minimum standard of adequate care.” It is CPS’s job to make parents “safe,” not “good.” Again, it is also our job to be “least intrusive” in our intervention.

In America we must accept freedom’s costs with its benefits. As Supreme Court Justice Sandra Day O’Connor said, “There is nothing new in the realization that the Fourth Amendment [illegal search and seizure] protections come with a price.” This is true of many other “protections,” such as the right to procreate and parent.

Unfortunately, Child Welfare is not held accountable for the unattributable damage to children caused by removal from their families

to foster care.

However, it is well-documented damage.

Shouldn't we, like doctors, use our professional judgment to "first, do no harm," rather than using it to forecast the future?

It is the children who pay the ultimate price for this unqualified prophesying.

The Safety Model provides a useful tool that, if used correctly, can save many children from the fate of CPS being their only perpetrator.

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