

## Foster Children Still at Risk?

by Peggy Farber

Tuesday, May 01, 2001 12:00 AM - Last Updated Thursday, March 28, 2013 04:23 PM

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Public Advocate Mark Green, a Democratic candidate for mayor, released a [report](#) this month concluding that "foster care remains a dangerous or losing proposition for too many children" in New York City. At a press conference held to

[announce the findings](#)

, Green stood beside Cecil Reed, a man whose son died while in foster care. Green said that the number of verified reports of maltreatment of children in foster care doubled from 1996 to 2000, even while the number of children in foster care fell by 24 percent. He added that one in 40 children throughout New York City is reportedly abused, compared to one in 20 children in foster care.

Immediately, officials at the [Administration for Children's Services](#) dismissed Green's study as a political ploy, a hastily assembled document lacking independent research. "We do not find it very helpful for real reform," said Jack Deacy, spokesman for the agency.

Green's report and press conference, and the reaction by the city, present a case study in the difficulty politicians have during the election season calling the public's attention to government performance. During campaigns, it may be hard for public servants running for office to resist making a play for headlines by overstating damaging information that comes their way. At the same time, when candidates are the bearers of bad news, city officials may find it tempting to accuse the candidates of political grandstanding, and thus avoid addressing troubling facts.

Examination of the Green document shows that it lacks original research and focuses almost exclusively on a set of negative findings in recent evaluations of the Administration for Children's Services. These qualities, at first glance, make the report appear less substantial than it actually is. A close reading, however, reveals that the authors worked diligently to divulge the contents of a New York State study that state authorities have been shielding from public view since December 2000. It is not the fault of the authors of the report that the findings of the state's own study are, on the whole, damning.

The New York State Office of Children and Family Services examined case records of 401 children who were in foster care in New York City during 1999. The review was ordered in the settlement agreement of the Marisol et al. v Giuliani federal class action lawsuit. The Public Advocates office had to submit a Freedom of Information Act request in order to see the document. Journalists are also prohibited from seeing the document without a Freedom of Information Act request. Public information officials at the Office of Children and Family Services did not respond to requests for an explanation as to why they are making it difficult for

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the public to gain access to the document.

State auditors found evidence that the Administration for Children's Services has made great strides in some areas, especially in providing counseling services to foster children, and domestic violence services and housing assistance to parents. However, the reviewers also found many areas in which the performance of the system either did not improve or actually worsened. Comparisons are possible because the state did a case record review of New York City foster children in 1997.

In 71 percent of cases where the goal for a foster child was reunification with his or her parents, caseworkers failed to arrange a minimum of two visits a month between children and parents, as state law requires. (Visits when they do occur typically last an hour and a half in accordance with standard casework practices.) The failure rate was up from 57 percent in 1997.

Sixty percent of foster children were moved from placement to placement at least once, up from 54 percent in 1997. Agency officials failed to notify parents that their children had been moved in a third of cases. Only a quarter of children with siblings in separate placements were able to visit with brothers and sisters as state law requires, down from 38 percent in 1997.

The state mandates a twice-yearly conference between agency caseworkers, supervisors and parents. By statute, the conference is supposed to serve as a forum for parents to learn what the agency requires them to do to win their children back and a place for parents to make plans to meet those requirements. Following the conference, the plans are codified in a document called the Uniform Case Record. Failure to comply with the Uniform Case Record is one of the most common transgressions cited in city petitions blocking reunification of parents and children. State auditors found that in 70 percent of the records they reviewed, conferences took place without parents present. In 62 percent of those cases, parents had not been invited to attend. An additional 10 percent of parents had been invited but had been unable to make it because caseworkers scheduled them when parents could not attend. Following conferences that took place in the absence of parents, only seven percent of parents were given a copy of the resulting Uniform Case Record. Fifty-six percent were not informed in any way of the results of the conference.

While it is true that Green did not mention the positive trends found by the Office of Children and Family Services, it is also true that the Office did not find nearly as many positive as negatives trends. Still, Green should have included the positive findings because they would

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have added credibility to his report - and because they were spectacular. Seventy-one percent of parents who needed parenting skills classes were given referrals to those classes in 2000, up from 38 percent of parents in 1997. Sixty-seven percent of parents who needed housing assistance got it, up from 25 percent in 1997. Eighty percent of parents needing psychiatric treatment were referred to psychiatrists, up from 37 percent in 1997. A stunning 76 percent of parents needing domestic violence services got them, up from 13 percent in 1997. Nothing stands in the way of the city itself from trumpeting the positive findings in the New York State audit. On the other hand, there was a real obstacle - a governmental gag order - stopping advocates and the public from seeing the negative findings and calling the city to account.

It is entirely understandable that officials at the Administration for Children's Services felt assaulted by Green's report, particularly since Green unveiled it in front of reporters at a news conference calculated to highlight the risks to children's safety in foster care. That many more reports of child maltreatment in foster care are being substantiated today hardly proves that the risks to child safety in foster care are increasing. It may just as easily indicate that child protective investigators are taking the abuse of children in the city's foster homes more seriously than ever.

Still, the agency's sense of injury should not have given it license to avoid explaining the genuinely negative findings made public by Mark Green. The Administration for Children's Services has much to be proud of, but even its officials must know that foster care remains, as Green said, a dangerous and losing proposition for many children.

Peggy J. Farber is freelance journalist specializing in children's issues. Her reporting on conditions of NYC children has appeared in City Limits Magazine as well as on National Public Radio.