

# **Abandoning Ohio's Most Vulnerable Kids**

## **Impact on Crime of Proposed Federal Withdrawal Of Foster Care Funding Pledge**



**A Report from FIGHT CRIME: INVEST IN KIDS OHIO**

## ACKNOWLEDGEMENTS

FIGHT CRIME: INVEST IN KIDS *OHIO* is part of FIGHT CRIME: INVEST IN KIDS, a national, bipartisan, nonprofit, anti-crime organization. The national organization has a membership of more than 2,000 police chiefs, sheriffs, prosecutors, and victims of violence. The members take a hard-nosed look at what works – and what doesn't work – to prevent crime and violence. They then recommend effective strategies to state and national policymakers.

FIGHT CRIME: INVEST IN KIDS is supported by tax-deductible contributions from foundations, individuals, and corporations. FIGHT CRIME: INVEST IN KIDS receives no funds from federal, state, or local governments.

Major funding for its operations is provided by:

Annie E. Casey Foundation • Naomi and Nehemiah Cohen Foundation • Freddie Mac Foundation • Garfield Foundation • The Joyce Foundation • The David and Lucile Packard Foundation • The Pew Charitable Trusts - Advancing Quality Pre-Kindergarten for All

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## **Executive Summary**

Thousands of children in Ohio have been abused or neglected so severely that they have had to be removed from their homes. As 2003 ended, there were over 19,000 children living in foster homes in Ohio. Law enforcement leaders and crime victims know that safe foster homes and services are essential if abused or neglected children are to heal and grow up to be productive citizens. Safe foster homes are also necessary to protect others in Ohio from future crime, because research shows that almost four out of 10 of the children who are re-abused or neglected rather than put in safe foster homes will become violent criminals.

For over 25 years, the nation has maintained a commitment of assistance for each eligible abused or neglected child who needs a safe foster home. When the number of children needing a foster home increased, the federal government promised it would match the states' help for each eligible child. Now, that commitment may be abandoned, replaced with federal payments to states that would have rigid limits. This new "cap" is proposed as an option to states in the President's budget and mandatory for all states in legislation to be re-introduced shortly by U.S. House Ways and Means Subcommittee Chairman Representative Wally Herger (R-Calif.).

Unlike the current law's commitment to match state payments for each eligible child who needs foster care, the new state cap would not budge even when child abuse caseloads surge. In 2001, for example, Ohio had a 6 percent increase in demand for foster homes – an increase of 1,219 children. More than three-quarters of the states had an increase in demand for foster care in at least one of the four years from 1999 to 2003, and six states, including New Jersey and Texas, had at least a third more children in foster care at the end of the four years.

The rising epidemics of methamphetamine and heroin use, and improved state efforts to identify more children who are being abused or neglected are likely to increase the need for foster care in Ohio and many other states over the next several years.

To make matters worse, the proposed Herger legislation would actually cut funding in real (inflation-adjusted) dollars after the first year, putting the squeeze on foster care even in years when caseloads do not rise.

When the number of children in need of foster care exceeds the capped funding, caseworkers will find themselves between a rock and a hard place, struggling with the question: "When no safe foster home is available due to lack of funding, how high does the risk of further abuse or neglect have to be before I remove a child from a home?" The likely result: more abused and neglected children will be left in homes where they have already been beaten, sexually abused, or severely neglected. Equally troubling, the children who are removed from their homes are more likely to wind up in overcrowded or unsafe foster homes instead of the nurturing homes they so badly need if they are to heal and go on to lead healthy, productive lives.

Abused and neglected children who are re-abused because of the shortage of foster care, or who are placed in inadequate or unsafe foster care, will pay an enormous price, day after day for the rest of their lives. However, they will not be the only victims of the proposed neglect of the foster care system. Others will also pay the price. Law enforcement and crime victims know that failing to protect and heal abused and neglected children sentences Ohio families to needless crime and violence. For example, research shows that when seriously abused or neglected children are left in dangerous homes and have to be placed in foster care later due to more abuse or neglect, they are 27 percent more likely to grow up to be violent criminals.

The 88 police chiefs, sheriffs, prosecuting attorneys, and victims of violence who are members of FIGHT CRIME: INVEST IN KIDS *OHIO*, and the more than 2,000 members nationally, are committed to protecting the children who cannot protect themselves. Our members are also committed to protecting our communities from future crime. Placing an arbitrary, rigid limit on federal foster care support for abused and neglected children is a dangerous abandonment of the commitment our country makes to our most vulnerable children.

# Eliminating the National Commitment to Help Abused and Neglected Children Will Increase Crime in Ohio

Most people in Ohio are aware of the severe abuse and neglect some children suffer. Few people, however, realize the scope of the problem or the severity of the consequences. In Ohio, there were 50,141 officially confirmed victims of child abuse or neglect in 2002 and 72 confirmed deaths from abuse or neglect.<sup>1</sup> At the end of 2003, there were 19,323 children in foster homes. Some of the children came into care during the year, while others had been in foster homes for a year or more.<sup>2</sup>

## I. Continued abuse or neglect creates violent criminals

The tragedy does not end once the abuse and neglect takes place. Though many abused and neglected children grow up to lead productive lives, children who live through abuse or neglect are far more likely than other children to be unemployed and to suffer from unstable relationships when they grow up. They are also two and a half times more likely than other children and adults to attempt suicide,<sup>3</sup> and more likely to become criminals who prey on others. A year's toll of abuse and neglect reaches well into the future, and well beyond the initial victims.

### The link between abuse and neglect and future crime

Severe abuse and neglect, particularly when it occurs during the earliest months and years of life, can permanently injure children in ways that make them much more susceptible to

engaging in violence. According to Dr. Bruce Perry, a neurobiologist and authority on brain development and children in crisis: "The systems in the human brain that allow us to form and maintain emotional relationships develop during infancy and the first years of life. ... with severe emotional neglect in early childhood the impact can be devastating."<sup>4</sup> Perry explains that severely neglected children frequently respond with aggression and cruelty that "is often accompanied by a detached, cold lack of empathy."<sup>5</sup>

Research shows that neglect is as likely as physical abuse to lead to future criminal behavior when a child reaches adulthood.<sup>6</sup>

Physical abuse can cause post-traumatic stress disorders in children. Abused children's brains can become "stuck" in high alert with very high resting heart rates and high levels of stress hormones in their blood even when nothing is threatening them. These children are predisposed to interpret others' actions as threatening, and are quick to respond impulsively and aggressively in their own defense.<sup>7</sup> Perry warns: "The most dangerous

**"Developmental neglect and traumatic stress during childhood create violent, remorseless children."**

Dr. Bruce Perry

children are created by a malignant combination of experiences. Developmental neglect and traumatic stress during childhood create violent, remorseless children.”<sup>8</sup>

### **Children who are severely and continually abused or neglected are most likely to become violent criminals**

Although surveys report varying numbers, it is clear that a high percentage of criminals were abused or neglected as children. One review of the literature on prior abuse and neglect concluded that approximately half of the youths arrested for delinquency had been abused or neglected earlier in their lives.<sup>9</sup>

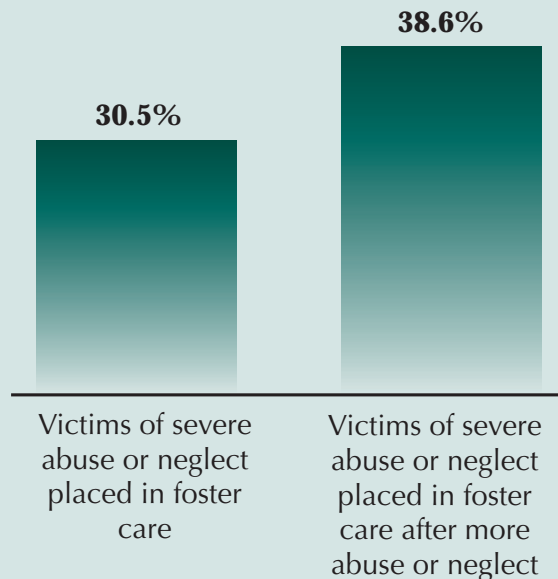
New Jersey Medical School psychologist Dr. Cathy Spatz Widom located individuals who had been abused or neglected as children and compared them to otherwise similar individuals who had no official record of abuse or neglect. By studying the subsequent arrest records and controlling for other demographic risk factors, Dr. Widom found that being abused or neglected almost doubles the odds that a child will commit a crime as a juvenile.<sup>10</sup>

The more severe the abuse or neglect and the longer it takes place, the more likely children are to become violent criminals. A recent study conducted in Washington State by Dr. Diana English, Dr. Cathy Spatz Widom, and Carol Brandford looked at children whose abuse or neglect was serious enough that the state legally took over temporary custody of the children from their parents and placed the children directly into foster care. Fully three out of 10 of these children (30.5 percent) were later arrested as juveniles or as adults for at least one violent crime.

The researchers also studied children who had been seriously abused or neglected and were temporarily removed from the legal custody of their parents, but who were not placed directly into foster care. The children who were made wards of the court, but were left in their homes and abused or neglected again, resulting in subsequent foster care placements, were even more likely to grow up

### **Continued Abuse Creates Violent Criminals**

Seriously abused or neglected children left in dangerous homes, who have to be placed in foster care after being re-abused or neglected, are **27%** more likely to become violent criminals than children placed directly in foster care.



English, Widom, and Brandford

to become violent criminals than the children who were immediately placed in foster care. Almost four out of 10 of these re-abused or neglected children (38.6 percent) became violent criminals. The study is a warning that leaving abused or neglected children in dangerous homes – a far more likely occurrence when adequate numbers of safe foster homes are unavailable – further increases by 27 percent the risk that the children will become violent criminals.<sup>11</sup>

## **II. Rigid caps on foster care would leave children in dangerous homes**

Eliminating the nation’s current commitment to help each eligible abused and neglected child and substituting it with a rigid capped payment to states would leave many states with a shortfall in funding for foster homes for victims of abuse or neglect.

The numbers of abused or neglected children are likely to increase beyond an inflexible capped federal payment in many states for

multiple reasons. Many states are already facing growing epidemics of methamphetamine, heroin, or other drug use that will inevitably lead to more victims of abuse or neglect. Additionally, states are improving their systems in ways that will increase the number of children identified as needing foster care. If state foster care payments are capped, there would be less funding and that would lead to two possible outcomes. Quality and safety problems with foster homes would increase, endangering the children who are placed in foster care, or many more children who are known to be at high risk of further abuse and neglect would be left in dangerous homes instead of placed in safe foster homes.

### **The capped foster care payment would decline over time placing more children at risk**

The proposed capped payment to states in the legislation to be offered by Representative Herger only matches the inflation rate the first year and in real, inflation adjusted numbers, is set to decline in subsequent years.<sup>12</sup>

To make matters worse capped block grants historically are cut over time. According to the Urban Institute:

The real value of block grant funding tends to diminish over time. A study of five ... block grants [from 1986 to 1995] found that the real value of four of them decreased. ... A more recent analysis of 11 block grants found that from their establishment to the present, real federal funding fell by an average of 11 percent.<sup>13</sup>

Therefore, even if caseloads stay at current levels, states may soon have insufficient funds to help all of their abused and neglected children. The quality and safety of foster care placements would be jeopardized by lower funding, which would cause qualified foster parents to leave the system; to be replaced, if they are replaced at all, by less qualified foster parents. The lack of high-quality foster care

parents or the simple lack of foster homes would mean that many children would face being left in dangerous homes.

Nationally, there was a slight decline overall in foster care caseloads in the last four years for which data is available (1999 to 2003). However, if Rep. Herger's proposal had been put in place sometime between the years 1999 and 2003, most states would have faced shortfalls in federal funding.

- More than three-quarters of the states had an increase in demand for foster care in at least one of the four years from 1999 to 2003.<sup>14</sup>
- A quarter of the states had increases of over 10 percent in at least one of the four years.<sup>15</sup>
- Six states, including New Jersey and Texas, had caseloads that were at least a third larger in 2003 than they were in 1999.<sup>16</sup>

Ohio had a 6 percent increase in demand for foster care in 2001. There were 1,219 more Ohio children needing foster care in 2001 than there were in 2000.<sup>17</sup>

### **The growing methamphetamine epidemic will increase the need for foster homes**

The crack epidemic in America produced a rising wave of abuse and neglect as addicted parents fed their drug habits while neglecting or abusing their children. According to a U.S. General Accounting Office study of New York City, Los Angeles, and Philadelphia, "The percentage of young foster children estimated to have been prenatally exposed to cocaine increased significantly, from 17 percent in 1986 to 55 percent in 1991."<sup>18</sup> Luckily the crack epidemic has crested and is subsiding in many places but the U.S. Drug Enforcement Administration (DEA) reports that, "Cocaine, HCL and crack combined constitute the greatest drug threat in Ohio."<sup>19</sup> In addition, methamphetamine and heroin use are now increasing according to the DEA. The National Institutes of Health reports that, while

methamphetamine use was initially concentrated in America's west and southwest, "methamphetamine abuse also is continuing to spread eastward to urban, suburban, and rural areas at a pace unrivaled by any other drug in recent times."<sup>20</sup>

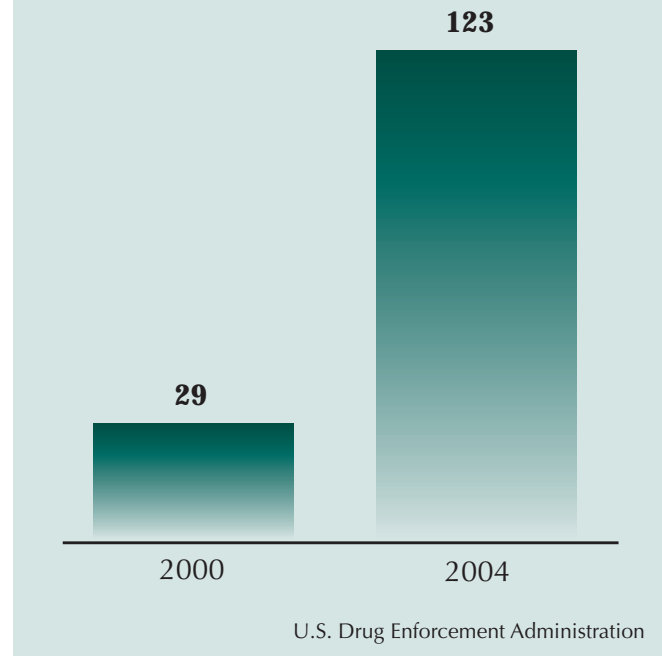
In a January 27th, 2005 article titled "Methamphetamine scourge sweeps rural America," the Reuters news agency reported:

The scourge has taken hold in the last five years, and rural areas are bearing the brunt of the problem. Experts say that is primarily because meth is easy and cheap to make. Ingredients include readily accessible rock salt, battery acid, anhydrous ammonia and cold medicines. Recipes can be downloaded from the Internet. As well, wide-open spaces in the country and small towns offer plentiful places to hide the drug activity. ... The problem descended on rural America with shocking suddenness ... For the fiscal year ending September 2004, the Drug Enforcement Administration counted more than 16,800 methamphetamine-related seizures by law enforcement across the country, up from 15,300 in 2002.<sup>21</sup>

The use of methamphetamine is highly addictive. The National Institutes of Health reports that, "Immediately after smoking or intravenous injection, the methamphetamine user experiences an intense sensation, called a "rush" or "flash," that lasts only a few minutes and is described as extremely pleasurable. Users may become addicted quickly, and use it with increasing frequency and in increasing doses."<sup>22</sup>

James Shroba, a DEA agent based in Cincinnati, reported in 2003 that illegal methamphetamine labs in the area he covers had risen over 90 percent in the past four years.<sup>23</sup> The DEA warns that, based on the experience of nearby states, methamphetamine use could continue to increase, "methamphetamine manufacturing and use are

### Methamphetamine Lab Seizures in Ohio



increasing [in Ohio], but have not reached the levels of other states in the Midwest."<sup>24</sup> Bill Williams, commander of the Narcotics Unit in rural Clermont County, told *The Cincinnati Enquirer*:

I would probably equate this to the first vestiges of crack cocaine usage in the early '80s. I believe that is what we are seeing take place – not only within our community, but also in Ohio as a whole. If it's not addressed in its infancy, it could potentially turn out to be an epidemic.<sup>25</sup>

*The Enquirer* also reported that Anne Arbaugh, the interim director of Child Protective Services in Clermont County, had seen 20 to 25 children removed from their homes due to their parents' involvement with methamphetamine in just three months in 2003. She said, "It's very sad and very difficult. Placing that many children all at once has put a tremendous strain on our foster homes. They're full."<sup>26</sup>

Parents walking away and leaving their children is not the only threat. Many children are being exposed to the drug itself when

methamphetamine is smoked. The Reuters article also reported that “In thousands of cases, people have been caught cooking the highly toxic chemicals in homes where children were present, breathing the poisonous fumes.”<sup>27</sup> National Public Radio reported on “Meth Orphans” that when children are removed from these homes they “are scrubbed down and changed into clean clothes. They take nothing with them, no books, no stuffed animals, because everything is contaminated.”<sup>28</sup>

Other drugs are threatening to increase abuse and neglect cases nationwide. Heroin use nationally is also on the rise. The U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) reports that heroin treatment admissions have grown from 168,000 in 1992 to 284,000 in 2002.<sup>29</sup> Dr. Ric Curtis of John Jay College reports that “heroin is not just an inner-city problem anymore. It is spreading to suburban and even rural areas across the country.”<sup>30</sup> According to the DEA’s website, “The Ohio Department of Alcohol and Drug Addiction Services data indicates the number of treatment admissions for heroin abuse increased overall from 6,878 in 2002 to 7,416 in 2003.”<sup>31</sup>

The National Institutes of Health warns that,

beside the well-known addictive qualities of heroin, its use during pregnancy can lead to low birth weight babies who are at risk of suffering from developmental delays.<sup>32</sup>

If heroin or methamphetamine use spikes even further in Ohio, leading to more abused or neglected children, the capped foster care payments would not be able to keep pace with the number of children needing safe foster homes.

### **Additional factors likely to increase need for foster homes:**

#### **1. Improving efforts to identify abused and neglected children**

The Third National Incidence Study of Child Abuse and Neglect, a congressionally mandated study undertaken by the National Center on Child Abuse and Neglect, concluded that the true number of children abused or neglected nationally each year is three times the officially recognized number.<sup>33</sup> As Ohio’s counties improve their abilities to fully and more accurately investigate reported cases of abuse or neglect, and increase abuse and neglect education and awareness outreach efforts to doctors, nurses, law enforcement officers, teachers, child care providers, and the general public, more cases of abuse or neglect

## **The Walk Away Drug:**

Before she left, 18-year-old Samantha Zeller stole across the silence of a suburban home and taped a note to her mother’s bedroom door.

“I love you, don’t worry,” she wrote. When Rhonda Zeller awoke, she found her daughter had left something else behind: her 1-year-old son. Samantha reappeared the day he turned 2, only to walk out again while the birthday boy cried for his mother to stay. Each time she left, he would stand at the door screaming, “Mommy, no, don’t go, please don’t go.” She would go anyway. “That’s when I knew how horrible this drug must be,” Rhonda said. “She loved him more than life.”

The drug was methamphetamine. Judges and child-protection workers call it the scourge of parenthood. They label it the “walk away” drug, because that’s what parents do.

David Olinger  
Meth Crisis Soars in Colorado: Addicted parents neglect or abandon kids, *The Denver Post*

will be identified. Increases in discovered cases of abuse or neglect will result in the need for more foster homes.

## 2. Determining that more abused or neglected children need foster care

Some people assume that foster homes are more dangerous than the homes from which children were removed. Except in a few, highly publicized incidents, that is not the case. More than 8 percent of all victims of abuse and neglect in Ohio were re-abused or neglected within six months in 2002 – typically by the people who originally abused or neglected them. That compares with a rate of abuse or neglect by foster parents of far less than one percent (0.15 percent). The abuse rate in foster homes is lower than the national standard and 55 times lower than the rate of re-abuse and neglect for all victims of abuse and neglect in Ohio.<sup>34</sup>

However, while Ohio’s foster homes are safer than the national standard, the state’s overall

rate of re-abuse and neglect for all children in the system is higher than the rate for over two thirds of the other 41 states that reported re-abuse and neglect rates for 2002.<sup>35</sup> This may partly reflect a better system of monitoring for re-abuse or neglect in Ohio than in many other states, but it likely indicates that too many Ohioan children are continuing to be beaten, neglected, or sexually assaulted.

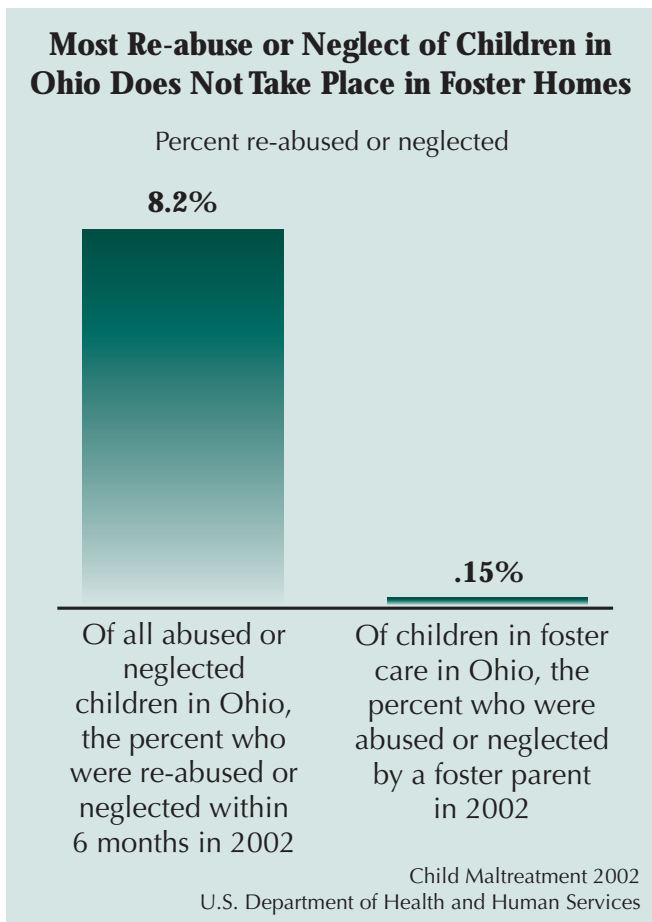
The U.S. Department of Health and Human Services conducted a formal Child and Family Services Review of Ohio. The review found that Ohio does not have enough appropriate placements for children with behavior problems or enough foster homes that “reflect the ethnic and racial diversity of the children for whom homes are needed.”<sup>36</sup> As Ohio addresses these deficiencies and does more to reduce its rates of re-abuse and neglect, the need for foster care placements in Ohio will likely rise. A capped state funding level, however, will not accommodate such improvements designed to better protect children.

## 3. Conducting better outreach to homeless youth

The Coalition on Homelessness and Housing in Ohio estimates that almost 30,000 people experience homelessness on any given night in Ohio.<sup>37</sup> Based on a national estimate from the U.S. Conference of Mayors, approximately 800 of those homeless individuals are unaccompanied minors.<sup>38</sup> The National Network for Youth reports that many homeless youth are fleeing abusive homes and that “across studies of homeless youth, rates of sexual abuse range from 17 to 53 percent, and physical abuse range from 40 to 60 percent.”<sup>39</sup> To help more of these youths, Ohio will need more safe foster homes in place of the unsafe homes from which many of the children fled.

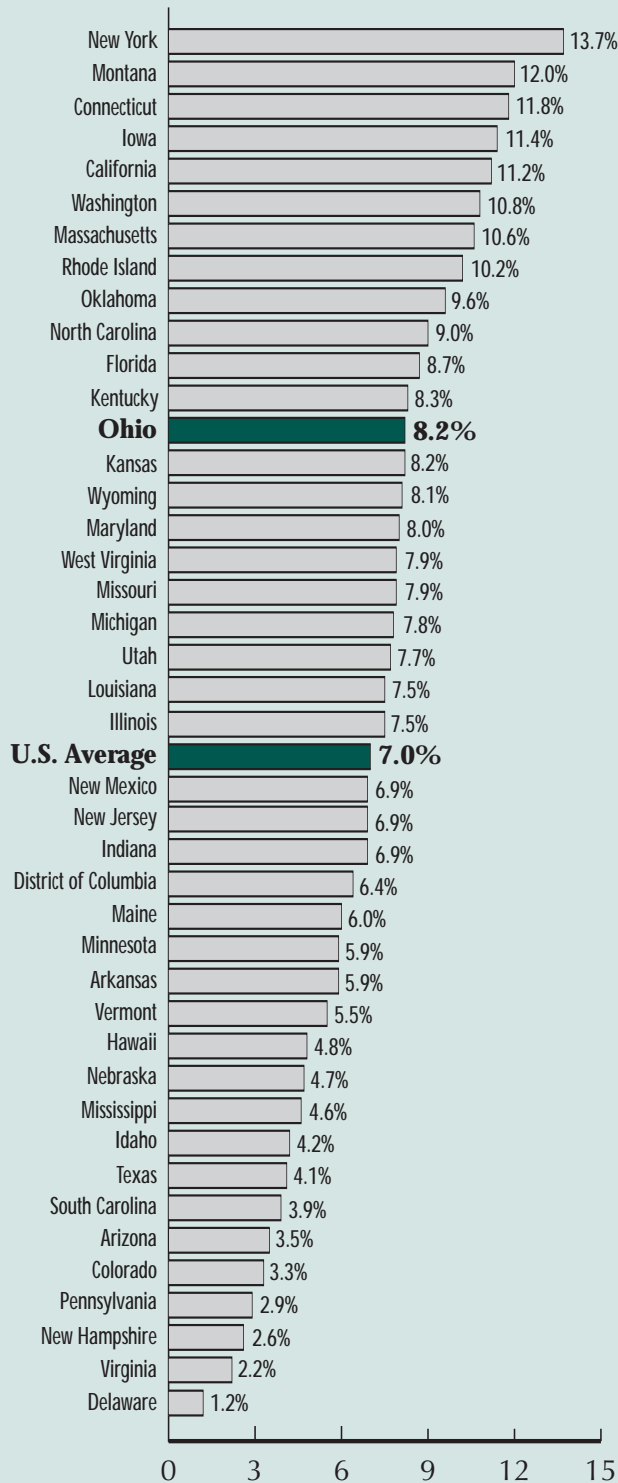
### Capping foster care could increase the number of youths on the streets

Instead of promoting better care for homeless youth, a capped foster care payment could lead to more children running away from



## Ohio's Child Abuse or Neglect Victims Suffer Re-abuse or Neglect More Often Than the Victims in Most Other States

Reoccurrence of maltreatment within six months among all victims of abuse or neglect in 2002



States not reporting this data: Alabama, Alaska, Georgia, Nevada, North Dakota, Oregon, South Dakota, Tennessee and Wisconsin

U.S. Department of Health and Human Services

home. Older children will respond to being sent back to abusive or neglectful homes by simply running away. More children escaping harm on their own will further strain the overburdened services for runaway youth, as these abused or neglected children find their way to Ohio's streets. The National Coalition for the Homeless reports that, "Because of their age, homeless youth have few legal means by which they can earn enough money to meet basic needs. Many homeless adolescents find that exchanging sex for food, clothing, and shelter is their only chance of survival on the streets. ... It has been reported that the HIV prevalence for homeless youth may be as much as 2 to 10 times higher than the rates reported for other samples of adolescents in the United States."<sup>40</sup>

### III. Prevention could work, but capping foster care in exchange for more state flexibility would not deliver results

In 1997, Ohio began implementing a waiver demonstration project from the U.S. Department of Health and Human Services. The project removed the commitment of assistance in 14 counties for each eligible abused or neglected child who needs a safe foster home in exchange for more flexibility in administering the funds. The evaluators of the project explained the rationale of this approach: "county administrators, along with state and federal officials, seemed to believe that flexible funding by itself would inspire large-scale innovations in child welfare services and result in reductions in foster care use and cost."<sup>41</sup>

The evaluation of this project concluded that, "In the end, the Title IV-E Waiver did not appear strong enough to alone generate fundamental reform of the state's public child welfare system. While demonstration counties reported many activities and programs undertaken as a result of the Waiver, these actions were neither sufficiently large-scale nor sufficiently targeted to bring about a

statistically significant change in foster care expenditures or child and family outcomes.”<sup>42</sup>

Ohio’s waiver project shows that trading the commitment of a safe foster home for children who need it in exchange for flexibility, alone, does not deliver results. Eliminating the commitment for all of Ohio’s 88 counties is not a risk worth taking.

#### **IV. Conclusion: Abandoning the national commitment to provide abused or neglected children with safe foster homes would increase violent crime**

Permanently abandoning the national foster care commitment to Ohio’s abused and neglected children is a dangerous move that will not do a better job of protecting children. It

threatens that there will not be enough safe homes when children need them. If the support for children needing foster care is capped, the quality and safety of foster homes will eventually be jeopardized, and more children would be returned to dangerous homes. The research shows that returning severely abused or neglected children to unsafe homes can lead to 27 percent more of the children becoming violent criminals if they later have to be placed in foster care. This is not just a tragedy for the abused and neglected children: it places our communities at increased risk from violent crime. The law enforcement leaders and crime victims who make up FIGHT CRIME: INVEST IN KIDS *OHIO* cannot support such a risky abandonment of our long-standing national commitment to abused and neglected children.

## Endnotes

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- 3 Widom, C. S. (2000). Childhood victimization: Early adversity, later psychopathology. Retrieved from the National Criminal Justice Reference Service Web site: [www.ncjrs.org/pdffiles1/jr000242b.pdf](http://www.ncjrs.org/pdffiles1/jr000242b.pdf). Individuals not abused or neglected as children were 40 percent more likely to be employed, and 50 percent more likely to have stable marriages.
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- 12 The current increase in funding for the Herger bill barely meets the inflation rate in the first year and in subsequent years the increases in funding will be smaller every year while the inflation rate is likely to stay the same or increase. Therefore, the shortfall in funding in real dollars is anticipated to grow each year.
- 13 Finegold, K., Wherry, L., Shardin, S., (2004, April). Block grants: Historical overview and lessons learned, Washington, DC: The Urban Institute; with references to two studies: Peterson, G. E., & Smith Nightingale, D. (1995). *What do we know about block grants?* Washington, DC: The Urban Institute; and, Sard, B., & Fischer, W. (2003). *Housing voucher block grant bills would jeopardize an effective program and likely lead to cuts in assistance for low-income families.* Washington, DC: Center on Budget and Policy Priorities.
- 14 This figure is for states that had at least a 1% increase in a given year. If the figure was calculated for states having any increase at all, 41 of 52 states would have qualified.
- 15 This figure did not include states with over 20% increases in caseloads for any year because the Herger bill is expected to allow states to be reimbursed if their caseloads grow above 20% in one year.
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