

Once Woeful, Alabama Is Model in Child Welfare

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By Erik Eckholm

MONTGOMERY, Ala. - As a mother, Stephanie Harris seemed hopeless. She was 29 and a determined crack addict back in 1993, when she was sent to prison for neglecting her six children, including infant twins. The authorities had little choice, she now agrees, but to give custody of her children to relatives.

"It didn't bother me," she recalled in a recent interview. "All I wanted to do was get high."

She served eight months, failed a urine test and went back to prison for a year.

If history were the guide, in Alabama or perhaps any other state, Ms. Harris might never have regained her children, child welfare officials here say. More likely, the children would have been shuffled among relatives and foster homes.

But officials here had, under court supervision, begun a wholesale overhaul of the child protection system to make it more pro-family, and they did not give up on Ms. Harris. Today she is off drugs, has a job and has custody of all but one of her children, whom an aunt is fighting to keep.

Her case illustrates what experts in child welfare say has been one of the country's most sweeping transformations of the handling of neglected and abused children. What by all accounts had been a dysfunctional system in Alabama, scarring too many children by sending them to foster-care oblivion while ignoring others in danger, has over the last 14 years become a widely studied model. But it has not been cheap, and in some ways Alabama has had to be dragged onto its pedestal because of political and philosophical resistance to the reforms and in spite of the state's endemic poverty.

"Alabama set the pace," said Richard Wexler, director of the National Coalition for Child Protection Reform, a private group in Alexandria, Va. "Though they've had some setbacks, I still view Alabama as a national model."

Forced by a legal settlement to make changes after parents and advocates filed a class-action lawsuit charging that the system failed to aid troubled families or protect children from neglect or abuse, Alabama has more than quadrupled its spending on child welfare since 1990, even as it has trimmed other programs in recent years.

One former governor, Fob James, complained about federal interference and questioned whether so much devotion to helping irresponsible parents was leaving children in harm's way. While Mr. James's successors have accepted the changes, they still resent being monitored; in a court brief this month, Attorney General Troy King said that the

continuing court supervision defied the principle of "democratic self-rule through officials answerable to the people."

While Alabama's system is far from perfect, local officials and independent experts say, the system now is more likely than before to keep children with their parents, safely, and tries to provide whatever aid might help that happen.

Typical caseloads for social workers have been trimmed to 18 from 50, allowing far more intensive monitoring of families and help. Where reports of neglect or abuse sometimes lay unchecked for months, investigators are now usually on the scene within a day when danger is imminent, and within five days more than 90 percent of the time, officials report.

In what many call the best measure of a system's ability to protect children from abuse - the share of children who are mistreated after intervention by social workers - Alabama has steadily improved its record. In recent years, a second abuse incident within 12 months of the first one occurred in roughly 5 percent of cases, down from about 13 percent in the early 1990's. Studies indicate that the comparable national average is about 11 percent.

And in a recent federal survey of child welfare systems, Alabama was one of only six states found to be "substantially in compliance" with norms for protecting children from neglect or abuse.

"When the lawsuit was filed, we didn't have the services that could keep children at home safely," said Carolyn B. Lapsley, the state's deputy commissioner for children and family services and a veteran social worker. "Now we're very proud; we have changed the system in every single county."

Though Alabama says it has made enough progress that it should be released from court supervision, skeptics question whether the new, labor-intensive practices can be maintained in the face of stringent budgets, high poverty and other social ills, including methamphetamine use, which state officials blame for a recent rise in the number of children removed from homes.

"We do not dispute that the agency has made progress," said James Tucker, a children's advocate and a lawyer in the suit that produced court monitoring.

"However, we believe that their recent efforts have focused more on creating a paper trail that looks like reform than producing the real reforms we seek," Mr. Tucker said, adding that some counties were lagging substantially, for example, in provision of vital family services.

Judge Ira DeMent of Federal District Court in Montgomery ruled in May that the state had not proved it could sustain its gains and declined to end the oversight for now. The state has asked him to reconsider.

When the class-action suit was filed, in 1988, "those who looked at the Alabama system invariably judged it as one of the worst in the country," Mr. Tucker said.

The 1991 settlement committed the state to a series of principles: quick investigations to head off danger, family preservation if possible, wide-ranging services for struggling parents and faster adoption for those requiring it, among others.

Ira Burnim, a lawyer with the Bazelon Center for Mental Health Law in Washington who helped draw up the agreement, said parents were often seen more as threats than as potential partners. And, Mr. Burnim said, "there's a traditional tendency to focus on 'saving' the children but also to see them as damaged goods."

Child-welfare spending that totaled \$71 million in 1990, including \$47 million in federal money, rose to \$285 million in 2004, \$179 million of it from the federal government. Some of that came from Medicaid money the state had not previously tapped.

The state hired hundreds of new social workers and thinned caseloads. Workers could now spend more than 10 hours a week in some homes.

Cindy Letson, who lives in the small town of Moulton in the corn and poultry country of northern Alabama, has seen firsthand how the system works.

Her face weathered beyond her 48 years, Ms. Letson described a history of family violence and recalled the day in 2001 when the police took her for psychiatric evaluation.

She returned home within a day cleared of any serious disorder, she said, but was sent for counseling and help in breaking an addiction to antiseizure drugs. Her twin boys had already been removed and were sent to foster parents.

She followed the directives and was allowed to visit her boys for one hour a week. After repeated entreaties she regained custody two years ago, and now lives on welfare with her 7-year-old boys, Kyle and Kenley.

"I was ready to give up, but in the end the system worked," Ms. Letson said.

Elements of Alabama's approach have been adopted by other states. "A lot of the ideas we used came from the Alabama example," said Benjamin Wolf of the Illinois A.C.L.U., who has helped design changes to the system in Illinois, which is also operating under court supervision.

Alabama's method of evaluating its own system - choosing individual cases and closely examining how each was handled - has been adopted by the federal government for its assessment of child-welfare systems in each state, said Olivia A. Golden, a former federal welfare official now with the Urban Institute in Washington. New York City has also adopted the method.

But here, as in every state, there remain lapses. [On Wednesday, a state judge criticized the Jefferson County Department of Human Resources for failing to protect 2-year-old Sean Porter, who suffered severe bruising to his groin last December, two weeks after school officials reported suspicious bruises on his sister, The Birmingham News reported.]

In a report last November, Ivor D. Groves, a welfare expert from Florida who is Alabama's court-appointed monitor, said the state's progress toward the original reform goals had varied by county.

But without question, Mr. Groves said, "the egregious conditions of impossible caseloads and large numbers of uninvestigated" abuse and neglect reports "have been eliminated."

Some Alabama counties show "the best child-welfare practice in the country," Mr. Groves wrote.

Ms. Harris, in Montgomery, has been a beneficiary of Alabama's progress. As she emerged from work-release and a third drug-treatment program in 1995, she showed that she was serious about going straight. So caseworkers, while requiring regular drug tests, helped Ms. Harris rebuild her life and then regain her children.

They paid for years of counseling and helped with expenses like child care, utility bills and, at one point, Christmas presents and shoes for the children.

Ms. Harris has since borne two more children and lives in a subsidized red-brick house in Montgomery with five of her children.

She works the day shift as a carhop and scrambles to provide for her boisterous clan, supplementing her income with Social Security payments for a child needing special education and a father's child support for two of them.

"My social worker was there for me," she said. "I've learned to pay my bills and manage my life."

In June, the child agency finally closed its books on Ms. Harris, satisfied that she could provide a decent home.

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