

BOARD OF DIRECTORS

Gil Kerlikowske

Board Chairman
Chief of Police,
Seattle, WA

Edward Flynn

Chief of Police,
Milwaukee, WI

Gilbert Gallegos

Former Chief of Police,
Albuquerque, NM
Former President,
Fraternal Order of Police

Janice Grieshaber

Crime Survivor,
Executive Director,
The Jenna Foundation,
Syracuse, NY

Patrick Murphy

Former Police Commissioner,
New York City, Detroit,
Washington, D.C., Syracuse

Sanford A. Newman, J.D.

Founder

Mark Westrum

Sheriff,
Sagadahoc County, Maine



3,500 Police Chiefs, Sheriffs,
Prosecutors, other Law Enforcement
Leaders, and Violence Survivors
Preventing Crime and Violence

United States House of Representatives
Committee on Ways and Means
Subcommittee Income Security and Family Support

Hearing on Improving the Child Welfare System
February 27, 2008

SENIOR STAFF

President

David S. Kass

Vice Presidents

Amy R. Dawson

Jeff Kirsch

Miriam A. Rollin, J.D.

Testimony by:
Chief Gil Kerlikowske

Chief of Police,
Seattle, WA

STATE DIRECTORS

California

Barrie Becker, J.D.
510-836-2050

Illinois

Tim Carpenter
312-986-9200

Maine

Kim Gore
207-725-5946

Michigan

K.P. Pelleran
517-371-3565

New York

Meredith Wiley, J.D.
518-465-5462

Ohio

Cyndy Rees
614-444-1286

Oregon

Martha Brooks
503-649-2068

Pennsylvania

Bruce Clash
717-233-1520

Tennessee

Mark Rogers
615-662-4666

Washington

Laura Wells
206-664-7110

On Behalf of
Fight Crime: Invest in Kids

Chairman McDermott and Members of the Subcommittee:

Thank you for the opportunity to testify before you today. My name is Gil Kerlikowske and I have been in law enforcement for 35 years and Chief of Police for the Seattle Police Department since 2000. I am the current President of the Major Cities Chiefs Association, comprised of the 56 largest city and county law enforcement agencies in the United States. I am also the Chairman of the Board of Directors of FIGHT CRIME: INVEST IN KIDS, an organization of more than 3,500 police chiefs, sheriffs, prosecutors, and victims of violence, who have come together to take a hard-nosed look at the research on what can keep kids from becoming criminals. Law enforcement leaders know from their firsthand experience that child abuse and neglect is often only the first chapter in a tragic story of violence. Abuse and neglect increase the likelihood that a child will engage in later violence. Leaving children in dangerous homes where they may be subject to continuing abuse or neglect makes them even more likely to grow up to become criminals, endangering the safety of our communities.

I commend the House Ways and Means Subcommittee on Income Security and Family Support for drawing attention to the need to increase prevention services and address the inadequacies of the child welfare system. In particular, I commend Chairman McDermott for his recent introduction of H.R. 5466, the Invest in KIDS Act. This legislation would constitute an important first step towards long-needed improvements in federal child welfare policy, including providing greater resources for services to reduce the need for foster care (including prevention services), providing needed enhancements in federal foster care coverage for abused and neglected children, strengthening the child welfare workforce, and expanding states' ability to serve youth who are aging out of foster care.

As you consider this legislation and any related reforms of child welfare financing, I encourage you to incorporate the following:

- Maintain Title IV-E foster care maintenance “room and board” funding as an uncapped entitlement;
- Ensure that any new Title IV-E child and family services state plan component designates a specific portion for evidence-based prevention-focused activities; and
- Establish a dedicated federal funding stream for home visiting programs—the Education Begins At Home Act (H.R. 2343).

Child Abuse and Neglect Prevention

Prevention must be the focus of child welfare reform. By the time law enforcement gets involved, it is too late to undo the damage that results from child abuse and neglect.

Each year, an estimated 2.7 million children in America are abused or neglected, including 900,000 cases that are actually investigated and verified by overburdened state child protection systems. More than 1,400 children die from abuse or neglect each year and over half of them were previously unknown to Child Protective Services. Children who survive abuse or neglect carry the emotional scars for life. The best available research indicates that, based on confirmed cases of abuse and neglect in just one year, an additional 35,000 violent criminals and more than 250 murderers will emerge as adults who would never have become violent criminals if not for the abuse or neglect they endured as kids.

Fortunately, there are evidence-based home visiting programs that are proven to prevent child abuse and neglect and reduce later delinquency, helping to reduce the need for foster care placements. For example, one program, the Nurse Family Partnership (NFP), randomly assigned interested at-risk pregnant women to receive in-home visits by nurses starting before the birth of the first child and continuing until the child was age two. Rigorous research, originally published in the *Journal of the American Medical Association*, shows the program cut abuse and neglect among at-risk children in half. In addition, children of mothers who received the coaching had 59% fewer arrests by age 15 than the children of mothers who were not coached. Researchers with the Federal Reserve Bank of Minneapolis concluded that NFP produced an average of five dollars in savings for every dollar invested and produced more than \$28,000 in net savings for every high-risk family enrolled in the program. A Washington State analysis produced similar results.

Research on other models of home visiting has also found numerous positive results. For example, a randomized control trial of the Parents as Teachers model found that treatment for an injury in the prior year – a possible sign of abuse – was 3% among the children served compared to the 13% of children not served (at the time of a second year assessment). Although earlier randomized control trials of Healthy Families America, another home visiting model, showed modest outcomes, a more recent randomized control trial of Healthy Families New York (HFNY) found that, at Year 1, compared to mothers in the control group, mothers in the HFNY intervention group reported having engaged in significantly fewer acts of very serious physical abuse (e.g., hitting child with fist, kicking child, slapping on face) (.01 versus .08). At Year 2, HFNY parents reported having committed, on average, one-third fewer acts of serious physical abuse in the past year than the control group (.01 versus .04).

Every year, over 600,000 low-income women in the U.S. become mothers for the first time, resulting in 1.5 million mothers (who are pregnant or have a child under the age of two) who are eligible for NFP at any given time. The program is only able to serve about 20,000 mothers annually, however, due to a lack of funding. Other home visiting programs serve an additional 400,000 families. Unfortunately, hundreds of thousands of at-risk families nationwide do not have access to quality home visiting. This inadequacy has led to numerous preventable foster care placements, and an unnecessarily large number of kids growing up to become violent criminals.

However, proposals such as those in the proposed FY09 Administration budget would remove the long-time federal guarantee of foster care “room and board” funds for the protection of abused or neglected children and would jeopardize the safety of these children, while providing no guarantee or likelihood that any substantial part of the funding would go to prevention.

Maintaining Uncapped Foster Care “Room and Board” Funding

For kids who have been abused or neglected, every attempt should be made to keep children safely at home. However, when that is not possible, we must ensure the availability of a safe foster home so that kids are not subject to continuing abuse or neglect. Researchers compared outcomes of abused and neglected children who were initially placed in foster care with outcomes of abused and neglected children who were initially left at home and then later placed in foster care because of continuing abuse or neglect. They found that abused and neglected children who were wards of the court and initially remained at home, but were later placed in foster care because of continuing abuse or neglect, were 27% more likely to become violent criminals than abused or neglected children who were initially placed in a safe foster home. In fact,

four out of ten wards of the court who were abused or neglected and left in their homes but later needed to be placed in foster care grew up to become violent criminals.

To ensure that children are not left in dangerous homes where they are subject to continuing abuse or neglect, it is critical that Congress maintain Title IV-E foster care maintenance “room and board” funding as an open-ended entitlement. For example, during a recent four year period between 1999 and 2003, over 3/4 of the states had increases in the number of children needing a safe foster home during at least one year. Over 1/4 of the states had increases of more than ten percent in at least one year. In 2003, ten percent of the states had foster care caseloads that were at least 35% higher than their 1999 caseloads.

There are many reasons why a state’s foster care caseload may grow, some of which are beyond the control of a child welfare agency. For example, methamphetamine abuse has led to a substantial increase in children needing a safe foster home in some states. In 2003, the Drug Enforcement Administration counted more than 17,000 methamphetamine lab seizures by law enforcement across the country. These seizures alone resulted in thousands of children needing foster care placements. In addition, judges and child protection workers in Colorado have labeled methamphetamine the “walk away” drug because many parents who are addicted to methamphetamine abandon their children, resulting in the need for more safe foster homes.

Foster care caseloads may also rise as states improve their ability to fully and more accurately investigate reported cases of abuse or neglect. As stated above, the actual number of children abused or neglected nationally is estimated to be three times the officially recognized number. Increased abuse and neglect education and awareness outreach efforts to doctors, nurses, law enforcement officers, teachers, child care providers, and the general public may also result in the identification of more children who have been abused or neglected and need foster homes.

Law enforcement leaders are concerned that, in the event of capped foster care “room and board” funding, a cash-strapped state with a rising foster care caseload and set funding would have to make a difficult decision: risk leaving children in dangerous homes where they may be subject to continued abuse or cut other services for kids, such as prevention, to pay for foster care. Either option would result in more child abuse and neglect and more crime. Therefore, we agree with the Pew Commission on Foster Care’s recommendation to maintain the foster care “room and board” payments as an uncapped entitlement.

The law enforcement leaders who constitute FIGHT CRIME: INVEST IN KIDS have seen children sexually abused, abandoned, or beaten so severely that there is no question that they need safe foster homes. Foster care funding is not “free money” encouraging states to take kids away from decent parents. To receive federal foster care funding, states must contribute a funding match. In addition, to receive federal foster care funding, a judicial determination must be made for each child that there were reasonable efforts to prevent foster care placement. There is no evidence that uncapped foster care funding is an incentive to unnecessarily place kids in foster care. The June 2005 Office of the Assistant Secretary for Planning and Evaluation Issue Brief on Federal Foster Care Financing states, “Some have argued that because foster care is an entitlement for eligible children while service funds are limited, Title IV-E encourages foster care placement. However, it seems unlikely that caseworkers make placement decisions on the basis of children’s Title IV-E eligibility, nor is it likely that judges use Title IV-E status as a significant factor in their placement rulings. Indeed, caseworkers and judges are often unaware of children’s eligibility status.”

Ensure that any new Title IV-E child and family services state plan component designates a specific portion for evidence-based prevention-focused activities

Currently, Title IV-E dollars cannot be used for prevention. We commend Chairman McDermott's efforts to provide new IV-E resources for prevention and other services through a new child and family services state plan component. We believe that, to best achieve the goal of substantially increased resources for prevention, a minimum portion of states' efforts pursuant to this state plan component should be specifically designated for evidence-based activities to prevent child abuse and neglect. Historically, states have used multi-purpose funding for prevention services only after they have met needs related to kids who have already been abused or neglected, except when funding is specifically designated for prevention, such as in the Title IV-B Promoting Safe and Stable Families (PSSF) program. A September 2003 Government Accountability Office report demonstrated that over 70% of funding from the flexible Title IV-B Child Welfare Services program is spent on child welfare system uses to help kids who have already been abused or neglected and only 10% is spent on family support/prevention and family preservation, while over 60% of funds from PSSF supports prevention and family preservation services and only 8% is spent on child welfare system uses. Without funding specifically designated for upfront prevention services, states are unlikely to increase their investments in prevention.

Establish a dedicated federal funding stream for home visiting programs—the Education Begins At Home Act (H.R. 2343)

In addition, to reduce foster care caseloads and keep children safely at home, we recommend that Congress provide funding specifically for evidence-based home visiting programs for at-risk families, such as the Nurse Family Partnership, Parents as Teachers, and Healthy Families programs described above. The Education Begins at Home Act (H.R. 2343), sponsored by Representatives Danny Davis (D-IL) and Todd Platts (R-PA), would authorize \$500 million over three years to expand the reach of voluntary, quality home visiting and authorize a parent and public education campaign about caring for infants and toddlers. FIGHT CRIME: INVEST IN KIDS recommends the enactment and funding of the Education Begins at Home Act this year.

Conclusion

By maintaining Title IV-E foster care "room and board" payments as an uncapped entitlement, increasing funding designated for prevention within Title IV-E, and enacting a new funding stream for quality home visiting programs, Congress could protect the safety of kids who have already been abused and neglected while preventing more kids from suffering abuse or neglect. These strategies will help to break the cycle of violence caused by child abuse and neglect that victimizes many thousands of additional innocent people each year.

I and my colleagues with FIGHT CRIME: INVEST IN KIDS who are leaders of American law enforcement, are grateful that this Subcommittee is holding today's hearing and we look forward to working with you to implement these recommendations.