

NATIONAL COALITION FOR CHILD PROTECTION REFORM

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NEW DATA SHOW URGENT NEED FOR STUDY OF BIAS IN FAYETTE COUNTY CHILD WELFARE, CHILD ADVOCACY GROUP SAYS

*The report discussed in this press release is available online at:
www.nccpr.org/reports/georgiarormarch2008.pdf*

New data concerning the rate at which children are torn from their homes in Fayette County illustrates the urgent need for the pending study of racial bias in that county's child welfare system, according to a national child advocacy organization.

"Children in Fayette County are taken from their parents and thrown into foster care at a rate nearly four times the state average, when rates of child poverty are factored in," said Richard Wexler, executive director of the National Coalition for Child Protection Reform. "They are taken at a rate four-and-a-half to seven-and-a-half times the rate of systems around the country widely considered as, relatively speaking, models.

"While Fayette County may no longer be a contender for child removal capital of America, it still takes children at one of the highest rates in the country. And it is definitely the child removal capital of Georgia."

Wexler congratulated the Fayette County NAACP and state Rep. Virgil Fludd (D-Tyrone) for persuading the Department of Human Resources and the University of Georgia to conduct a comprehensive study of racial bias in the operations of the Fayette County office of the Division of Family and Children's Services.

"Racial bias permeates America's child welfare systems, and, as has been documented so well by the NAACP, racial bias permeates Fayette County. The combination is disastrous for the county's vulnerable children. Indeed, it sometimes seems that if Atlanta is the city too busy to hate, Fayette is the county that finds the time."

NCCPR released a comprehensive update to its *Georgia Rate-of-Removal Index* Thursday. The Index compares the number of children taken over the course of a year to the estimated number of impoverished children in each of Georgia's 159 counties.

The new index includes several updates:

- It includes entry-into-care information for the year ending September 30, 2007.
- It includes a major update of the estimate for impoverished children. The new index uses a 2005 estimate from the U.S. Census Bureau, the most recent available.
- It includes data for every county on the two key outcomes used to measure whether children who come to the attention of DFCS are safe.

“These data show, once again, that it is not necessary to take away huge numbers of children in order to keep them safe,” Wexler said. “On the contrary, counties that take proportionately fewer children often have better child safety outcomes than counties taking far more. That’s because when workers are not inundated with false allegations, trivial cases and children needlessly removed from their parents, they have more time to find the children in real danger who really must be taken from their homes.”

Wexler said the same pattern can be seen across the country. “The few systems widely regarded as models are those that have rebuilt to emphasize safe, proven programs to keep families together.

“This means Fayette County is needlessly inflicting harm on many children, by exposing them to the emotional trauma of needless foster care, and the considerable risk of abuse in foster care itself. At the same time, Fayette County is misusing scarce resources that could be directed toward finding children in real danger.”

The *Rate of Removal Index* formally ranks only counties in which at least 2,000 impoverished children reside. Wexler said that’s because many of Georgia’s 159 counties are so small that even very small changes in the number of children removed, which could be the result of factors beyond the county’s control, could significantly change their rankings. Safety data also can fluctuate greatly based on a small change in raw numbers in these counties.

But that problem is ameliorated when a county is an extreme outlier – that is, it takes away children at what Wexler calls “such an astounding rate” that it would take a huge change in the numbers to bring it into line with state and national norms.

He said that is the case with Fayette County. “In order for Fayette to take children at a rate no higher than the Georgia average, it would have to take away about 26 children per year. Instead, it takes nearly 100. The other way Fayette would be no worse than average would be if the real number of impoverished children living in the county were nearly four times higher than estimated by the Census Bureau. So clearly, Fayette’s dismal standing is not due to circumstances beyond the control of the county DFCS office,” Wexler said.

Wexler noted that, according to the *Fayette Daily News*, even a former Fayette DFCS caseworker, Sharon Crouch, has blamed the county’s high rate of removal on “racism, pure and simple. Racism in the office and in the system. Racism exists with

Hispanics and Blacks most at risk of having their children removed."

Crouch told the *Daily News* about a Hispanic family living in a trailer park in Fayette, whose children were removed unnecessarily. "This family could have been helped with a little money and a few services. But they were Hispanic and poor, and the children were taken from the home. If they had lived in a \$500,000 home in Fayette County and were white, it would probably have been a different story.

"A lot of people in Fayette County are being punished because they aren't making enough money, or don't live as we view as adequate for Fayette County," Crouch told the *Daily News*. "It seems we're not trying to help the children. We're just busting up families."

Wexler said "there is nothing particularly radical about the notion that racial bias permeates child welfare. It was recently the subject of a comprehensive report by the Government Accountability Office, and it is readily conceded even by groups which tend to support a take-the-child-and-run approach to child welfare. Study after study has borne it out." In one study, Wexler said, when caseworkers were given otherwise-identical hypothetical scenarios, they consistently said the risk to the child was greater if the family was described as Black.

"It's also a matter of common sense," Wexler said. "In a society in which a person's race will determine how easily he can catch a taxi or whether he'll be followed around by security in a department store, it is naïve to think that racial bias magically stops at the child welfare agency door. And the NAACP has documented such bias in many aspects of life in Fayette County.

"The one thing Fayette DFCS has been extremely good at is playing politics," Wexler said. "That office has adroitly used a single high-profile case involving a top state DFCS administrator, Cylenthia Clark, as a cudgel to beat down any effort at reform in the county.

"By constantly throwing out unsubstantiated charges of 'interference' by the state, Fayette DFCS throws its nominal superiors on the defensive, making it extremely difficult for the state to exercise legitimate control over a county that takes children first and asks questions later."

But rather than interfering to help Ms. Clark, it appears that she got tougher treatment than many other parents facing similar allegations, Wexler said.

"Had the mother been someone other than Cylenthia Clark and, especially, had she been white as well as middle-class, the mother probably would have been required to attend some counseling and/or anger management classes and sign an agreement not to use a belt on her children."

Wexler said that Fayette DFCS has been aided in its disinformation campaign by

former Child Advocate Dee Simms. “Simms conducted the ultimate one-sided investigation – literally,” Wexler said. “She announced her conclusions publicly – then admitted she had not actually spoken to the state officials she condemned.”

Wexler said he hoped “the investigation promised by DHR and the University of Georgia will, at last, get past the smokescreen of the Clark case to see the real issues – the obscene rate at which children are torn from everyone loving and familiar in Fayette County.”

ABOUT NCCPR: The National Coalition for Child Protection Reform is a non-profit organization whose members have encountered the child protection system in their professional capacities and work to make it better serve America’s most vulnerable children. A complete list of NCCPR’s Board of Directors is available at www.nccpr.org. **Funding for NCCPR’s national advocacy activities comes from the Annie E. Casey Foundation. We thank the Foundation for its support, but acknowledge that the views expressed here are those of NCCPR alone and do not necessarily reflect the opinions of our funders.**