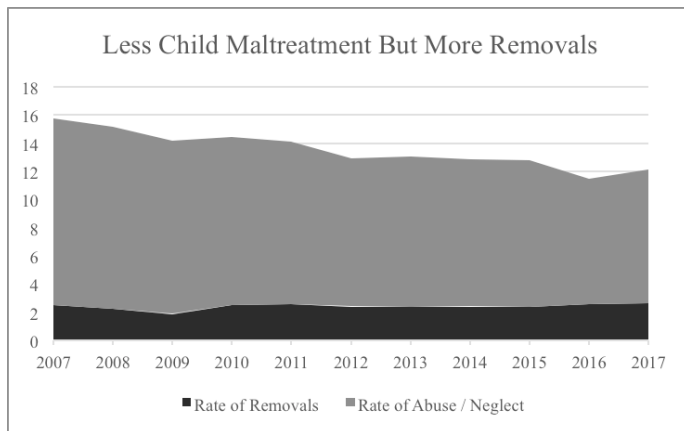


Alternatives to Removal

The Issue

In FY2017, Texas Child Protective Services (CPS) removed 19,782 children from their homes. From November 2016 to November 2017, removals increased 18.1%. More children are entering foster care than exiting (3% more in FY2016, 5% more in FY2017), contributing to a crisis in foster care capacity and increasing the state's reliance on congregate care.



Source: CPS Databooks FY2007-2017.

In FY2017, CPS obtained the placement of an additional 17,037 children outside their homes through a voluntary process called Parent Child Safety Placement (PCSP)—down from a high of 29,040 PCSPs in 2015. The Texas Supreme Court concluded this process is not always voluntary. Parents are sometimes threatened or coerced into agreeing to separation from their children. Removals and new PCSPs resulted in the separation under state supervision of 36,909 children from their parents in FY2017.

Paradoxically, the total rate of maltreatment in Texas is lower than in past years, continuing a downward trend over the last decade. Yet more children are victims of the system through forced separation from parents, which is never a benign event for children. Research demonstrates that separating a child from a parent for even a relatively short time traumatizes the child.

The most frequent cause of CPS involvement is not abuse but parental unemployment, housing instability, and substance abuse—conditions worsened, rather than solved, by removing children. Oftentimes, at-risk families need minimal, targeted assistance to ensure child safety. Civic, faith, and cultural communities are in the best position to support families through periods of difficulty while keeping children in or near their homes.

The family of a child who is at imminent risk of entering foster care but who can remain safely at home with services and

monitoring should be referred to Family Based Safety Services (FBSS). The FBSS stage of service is intended to keep children safely with their parents, or to return children home after a short, voluntary separation, by increasing the resources of parents and decreasing threats to children's safety. Families with risk factors but no exigency should be referred to existing community programs.

The state should provide FBSS through local nonprofits in a public-private framework. Families are less resistant to supports provided by community members unaffiliated with government child protective agencies. Community providers are able to take advantage of existing services, including faith-based services, that best meet the needs of families and can remain available to parents after the case closes.

The Facts

- In FY2017, CPS separated 36,909 children from their parents—19,782 court-ordered removals and 17,037 agreed safety placements.
- In FY2017, FBSS served 98,730 children and 35,725 families, with 5,068 children removed from open FBSS cases.
- Current recidivism for FBSS services (11.4%) is comparable to recidivism for families separated through removal.
- Family preservation services provided by community nonprofits are more effective in increasing service utilization, reducing recidivism, and maintaining children in their homes.

Recommendations

- Limit family separation (through either removal or PCSP) to cases of immediate danger to physical health or safety.
- Expand voluntary use of FBSS in cases of marginal risk.
- Transfer primary responsibility for FBSS from DFPS to local nonprofits as part of the community-based care model.
- Reallocate spending from general prevention programs of unknown value to targeted foster care prevention, which diverts identifiable children from foster care through individualized family services.

Resources

[Community Support for Children and Families, Testimony before the House Human Services Committee](#) by Brandon Logan, Texas Public Policy Foundation (March 13, 2017).

[Effects of CPS Involvement on Child Wellbeing, Testimony before the House Juvenile Justice and Family Issues Committee](#) by Brandon Logan, Texas Public Policy Foundation (May 3, 2017).

[Family Privacy and Parental Rights as the Best Interests of Children](#) by Brandon Logan, Texas Public Policy Foundation (Feb. 2018).

[Parental Child Safety Placements](#), Supreme Court of Texas Children's Commission Round Table Report (Dec. 2015).