

*An Exchange on*  
**Juvenile Out-of-Home Placement:  
A Program Evaluation  
with Joel Alter  
Office of the Legislative Auditor**

*Conducted by Esther Wattenberg  
February 22, 1999*

### **Introduction**

The 1998 legislature requested the Office of the Legislative Auditor to evaluate juvenile out-of-home placements. The Q & A below is a brief exchange about “Juvenile Out-of-Home Placement,” the resulting report that was presented to the legislature in January 1999.\* Multiple sources of data provided the findings for this report: an analysis of statewide information on placement and costs; surveys of county corrections supervisors, human services directors and district court judges throughout the state; and case information at the county level.

### **Background**

This report presents the reader with the complexity of unraveling the circumstances, placement decisions, and fiscal impact of high risk children and adolescents who are enmeshed in two different but related public systems: county human services and the judicial/corrections system.

The juveniles of concern in this report share a common fate: out-of-home care. However, they differ, remarkably, in the decisions that led to their separation from families and in their destinations when they were placed.

There are three distinct populations among the high risk children. Young children, under ten, are most likely to enter the foster home care system, because of the behavior and circumstances of their parents. Abandonment, malicious punishment, sexual abuse, and chronic neglect are the typical reasons for removing young children from families. Adolescents, enter the “out-of-home” category, generally, because of delinquent behavior or other behavior problems — crimes, mental health problems, substance abuse, or truancy. A third population for whom the out-of-home care decision is made are children who have troubled relationships with family members.

\* The full report is available from the Office of the Legislative Auditor, State of Minnesota, Centennial Office Building, 658 Cedar Street, Saint Paul MN 55155 (651) 296-4708. It can be downloaded at <http://www.auditor.leg.state.mn.us/pe9902.htm>

*Q: (Wattenberg) Given the diversity of populations under review in your report, can we have some sense of what proportion is associated with each of these groups?*

A: (Alter) About 36 percent of the days that Minnesota children spent in out-of-home care in 1997 were a result of “child-related” reasons—typically delinquency, but also substance abuse and behavior problems. About 58 percent of the days of care were for “parent-related” reasons, such as abuse, neglect, and parental substance abuse. And about 5 percent of the days of care were a result of kids and parents who did not get along.

*Q: In trying to untangle the cost, responsibilities, and outcomes of these populations, did you discover much overlap among these three populations?*

A: There is overlap, but it probably occurs over long periods of time. For example, among children placed away from home for delinquency during 1997, we found that only about 6 percent had another placement during 1995-97 for which the reason was the parent’s conduct. However, this percentage is probably small because delinquents tend to be teens, while maltreatment victims are more likely to be younger. Service professionals perceive that many delinquent children come from families with histories of abuse and neglect, so the percentage could have been much higher if we had been able to track placement histories for longer than three years. There is also a perception that behavior disorders in children are often a precursor to delinquency—in fact, that is one reason why the 1995 legislature required development of an “umbrella” rule that establishes some common standards for juvenile facilities, regardless of whether they are licensed as mental health or correctional facilities.

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*Q: Because of the rather distinct populations under discussion, is it fair to say there are also mixed goals that affect how we track the outcomes of out-of-home care?*

A: Yes. If we are going to measure the “success” of out-of-home placement, then we have to be explicit about what the goal of placement is—whether it is law abiding behavior, permanency, sobriety, protection from maltreatment, or other goals. Many county officials told us that judges are often not clear about these goals. That is why we recommended that judges, in their dispositions of children being placed out of home, should explicitly articulate the goals of each placement.

*Q: Your report deals with two major public systems: that of child welfare and that of corrections. Both systems, in fact, impact the lives of children. There appears to be an uneasy relationship between human services directors and correctional staff and judges.*

*You did note several differences in perceptions. The one I found most interesting was that both systems differed in their confidence in judicial decisions — a striking disparity. Eighty-seven percent of the correctional supervisors thought that judges usually or always made placement decisions based on sufficient consideration of facilities’ ability to meet the children’s service needs. In contrast, only 54 percent of human service directors expressed this same level of confidence in the judges’ decisions. Do you have some explanation for this disparity?*

A: I believe we have two professional groups here who sometimes see things from different perspectives. For example, human services staff may be more cognizant of the service needs of children—such as their needs for mental health or chemical dependency services or interventions with the children’s families—because this is their area of training and expertise.

They may recognize problems that other professionals do not. In addition, human services agencies often pay for placements that are made by the courts and corrections agencies, and they sometimes think that these placements are made without a full exploration of the alternatives. The different perspectives of corrections and human services officials is one reason we recommended that counties have multi-disciplinary screening teams to make placement recommendations to the courts—to bring these perspectives together and help ensure that service needs are properly considered.

*Q: Despite these differences, however, there were some notable ways in which they both expressed similar concerns. I thought it was interesting that both corrections and human services staff urged that we begin to concentrate on developing more “non-residential services.” Can you explain precisely what was meant by this phrase?*

A: Non-residential services attempt to address the problems of a child or family without removing the child from home. Residential facilities—for all of the good things they try to accomplish—often have difficulty helping kids to successfully transition back to their families and home communities. So sometimes there are children who are better served by home-based services. For example, some communities have tried “intensive probation” programs for juvenile delinquents instead of sending them to residential facilities—this might involve a probation officer with a low caseload visiting the juvenile’s home frequently, working with the family, getting the juvenile connected to community services. Non-residential services might include things like outpatient programs or day treatment for kids with substance abuse or mental health problems. Or they could include caseworkers making regular visits to families in which parental neglect has been a problem. There will always be cases where out-of-home placements provide the best way

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to protect a child’s safety or the public’s safety, but counties repeatedly told us that there is a greater unmet need for non-residential than residential services.

*Q: Around the country one of the most innovative options now appearing are “treatment foster care homes.” These are developing as an alternative to institutional placements. They are foster homes with specially trained foster parents who have a sensitivity and a skill in handling children and youth with severe behavioral problems that can be linked to emotional disturbance. I understand some counties make considerable use of therapeutic foster homes in the private, non-profit sector. Are “treatment foster care homes” one of the gaps in our available resources for troubled youngsters?*

A: Yes. Many counties reported to us that foster care of all sorts is in short supply, including “regular” foster care, foster care by relatives, and “treatment foster care.” In some cases, treatment foster care can be an alternative to more expensive residential facilities that offer therapeutic programs. Incidentally, we recommended that the state better define the components of “treatment foster care,” based on concerns we heard from counties about its vague definition.

*Q: Curtailing costs associated with out-of-home care has been on the agenda of many policy makers. The motivation to limit the cost of placement is, of course, intense because counties bear a large share of these costs, and property taxes are a major source of a county’s revenue. Minnesota is unusual because the state contributes only a small share of out-of-home care costs. Your data shows that only 12 percent of the cost of care is paid for with state funds. Was there much discussion about this from corrections or human services officials?*

A: Yes—counties would like to have the state play more of a role in paying for expensive placements. Many of these placements are ordered by the

courts, so counties sometimes feel as if they don't have very much control over them, yet they have to pay the cost. But, while state government does not pay much of the cost of placements in Minnesota, it is important to remember that county agencies play a larger role in placement decisions here than they do in many states. There are many states where child protection, corrections, and other juvenile services are primarily delivered by state agencies. Minnesota, in contrast, has relied more on county agencies to administer services and help make decisions.

*Q: It is well known that in an effort to curtail costs, the human services system has severely limited its response to the request for help for adolescents, particularly those youngsters who were in parent/child conflicts. Advocates complained about this situation. Was there any recognition of this diminished response to a request for help from parents and school systems?*

A: Counties have differing beliefs about how to address parent-child conflicts. There are many children placed out of home in Minnesota because of family problems, such as kids who don't get along with parents or step-parents or a parent's live-in girlfriend or boyfriend. But some counties have decided that placing a child away from home because of family dysfunction is not a good long-range solution—and they told us that this is not simply an issue of trying to control costs. Specifically, staff in these counties told us that it is easier to work with and help repair families when kids and parents are not miles apart. So, we have some counties that never place kids away from home for family conflicts and others who make these placements frequently.

*Q: Your report says that, after controlling for inflation, out-of-home placement costs rose 40 percent between 1992 and 1997 for placements in correctional*

*facilities, whereas costs for foster care rose only 14 percent. Is there some explanation for this disparity?*

A: There is no question that juvenile corrections has been a growth area. Perhaps this reflects the efforts of courts and counties to have a tougher response to juvenile crime. It may partly reflect the fact that courts and county corrections agencies often are not financially accountable for the placement decisions they make. In other words, there are many counties in Minnesota where the cost of placing delinquent juveniles is paid for by county social services, not by correctional agencies. Some social service officials think that the courts and counties might make different decisions if they had a better understanding of the costs of out-of-home placement.

*Q: Did corrections and human services officials have different opinions about whether costs, rather than the needs of the child, have been an important factor in placement decisions?*

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A: Actually, their responses were quite similar. In our surveys, about half of county corrections supervisors and about half of county human services directors said that budget considerations have limited their ability to provide the care and services that children need. And, interestingly, corrections officials were more likely than human services officials to think that some of their counties' children needing out-of-home placement had not been placed because of budget considerations.

*Q: It was interesting to note that both the corrections and the human services officials identified truancy as one of the services that has been the least satisfactory. Why do you think there is such dissatisfaction?*

A: Truancy is sometimes an early indicator of problems with a child or a family, and some officials did not think we have paid enough attention to it. Perhaps this reflected a general feeling that we too

often wait until problems become serious, rather than intervening when they are less serious. Also, counties sometimes think that truant kids fall through the cracks when it is unclear whether their cases should be handled by the schools, by probation officers, or by social workers.

*Q: I thought it was interesting that there was little reference in your study to the issues that absorb advocates for youth, i.e., reference to runaways, the homeless, and adolescent pregnancy and parenting.*

A: These issues are clearly important ones, but they are usually not direct reasons for out-of-home placements. Children are usually placed out of home in response to specific incidents of parental abuse or neglect or because the child has broken the law or needs some sort of treatment. It is less common than it used to be for courts to place kids out of home for running away. And, while poverty and teen parenting are undoubtedly contributing factors to family dysfunction in our society, the courts usually do not place children out of home from families with these characteristics until there is specific evidence of a problem that cannot be addressed in the home community.

*Q: Your data shows that in 1997, 45 percent of the placements were in correctional facilities, and these placements consumed more than a quarter of placement spending. Did you encounter any comments that suggested that as a state, we were using juvenile corrections to solve the behavioral problems of adolescence because we lacked a coherent response to adolescents in conflict with families, school authorities, and peers?*

A: Typically, juveniles are placed in correctional facilities because they have broken the law, often multiple times. Residential placement may be an appropriate response to kids who have committed serious or multiple offenses, but there certainly are many people who believe that we would have to rely less on residential placements if communities, schools, and families intervened more effectively in the lives of troubled kids before their problems escalated.

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*Q: Your findings point out that children of color are over-represented in out-of-home placements compared to their share of the state's population. Were there any responses to this phenomenon?*

A: Generally, people who work in this field were not surprised by this finding, but we continue to hear questions by professionals and advocates about why there is a disproportionate rate of placement. To some extent, it probably reflects disproportionate levels of poverty in racial and ethnic minority groups. In addition, it probably reflects some underlying differences in levels of family dysfunction. For example, we found that American Indian and African American kids are far more likely than other kids to be placed for parent-related reasons, such as maltreatment and parental substance abuse. And there is always the possibility that racism contributes to disproportionate placement rates, although most county officials and judges who we surveyed said that they don't see explicit racism in the placement process. Regardless of the cause, I think that the report findings have helped to highlight the need for the state, counties, and service providers to carefully search for culturally sensitive ways of assessing and serving children of color.

*Q: The study identifies a need for improved aftercare services for children who have returned home from residential facilities. Who should pay for this program expenditure?*

A: Our report made no recommendation about funding for aftercare, but we were concerned about the lack of clarity in the law about who is responsible for monitoring kids returning home from placement. State

agencies have drafted rules that would require counties and facilities to work together to develop plans for individuals' aftercare, but the rules don't indicate which of them is responsible for monitoring whether the services are provided. We recommended that the law clarify that counties should monitor the provision of aftercare services—whether the services are provided by facilities or others, and regardless of the funding source of the services.

*Q: You also recommended that counties have multi-disciplinary screening teams to help make placement decisions. Should the state bear the cost?*

A: About half of Minnesota's counties have multi-disciplinary screening teams now, and I'm not convinced that there's a need for any special state funding to help the remaining counties to follow suit. This recommendation is intended to bring existing staff from various agencies within each county to the same table when important decisions are being considered. Through improved screening, we hope that children can be directed to services that more effectively address their needs, and maybe this will save money in the long run. Also, some of the counties that do more rigorous screening have made greater efforts to find suitable non-residential alternatives for children, which they think has helped them to contain costs.

*Q: Your report also recommends that the moratorium on residential facilities for juveniles be lifted. Can you amplify your recommendation?*

A: Our report did not find evidence that Minnesota needs significantly more residential beds for juveniles, with the possible exception of foster care. So it might seem a little odd that we recommended that a one-year moratorium on large facilities imposed by the 1998 legislature not be extended. But we thought that it would be inappropriate to "freeze" a system of residential facilities that we found is far from perfect. For example, Minnesota doesn't have adequate residential programs for delinquents with low intelligence, so many of these kids are now sent out of state. Also, counties told us that there are many ways in which Minnesota's existing facilities could better serve children—for example, by working more with families, and by providing more culturally appropriate services. Having some threat of competition in the residential services system creates an incentive for facilities to be more responsive to the placing agencies. Also, because counties are paying for the majority of placement costs, we thought the state should not place unnecessary limits on their placement options. Ultimately, it is up to counties and courts to make good choices about which facilities to use—whether they are large or small, public or private, new or long-standing.

*Comment: Thank you very much for this valuable report on out-of-home placements and your commentary on some of the findings.*

**The full report is available from:**

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