

US: State scapegoats parents, workers in New Jersey child welfare scandal

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The discovery of four badly malnourished boys in a foster home in Collingswood, New Jersey—a working-class inner suburb of Camden—has plunged the state child welfare agency, the Division of Youth and Family Services (DYFS), into a crisis that has received national attention.

The case began when 19-year-old Bruce Jackson was found foraging through a neighbor's trash in search of food following the neighbor's call to police in the early morning hours of October 10. A police search of the house where young Jackson lived led to the discovery of three other boys, who by some accounts looked like famine victims, generally emaciated and with distended stomachs. When first removed from the home, none of the boys, ages nine to 19, stood more than four feet tall or weighed more than 45 pounds. The children were removed from the custody of their adoptive parents, Raymond and Vanessa Jackson, and hospitalized.

The Jackson case is the latest in a series of DYFS abuse scandals in New Jersey. It came to light only days after the state had completed a case-by-case review of nearly 14,000 cases—mandated by a class-action settlement stemming from a 1999 lawsuit filed by an advocacy group, Children's Rights Inc. of New York. The state announced that it had found only 31 cases requiring further review. None of them involved the seven adopted and foster children who lived in the Jackson home.

After interviews with the boys, the police claimed that the refrigerator in the Jackson home had been kept locked, and that they were fed a meager diet of pancake batter and cereal. None of the boys attended public school, and it was also reported that none had any seen a doctor or dentist in five years. Moreover, it was established that DYFS workers had logged 38 visits to the Jackson residence in the previous two years, including 10 in the previous eight months, and had reported nothing amiss. In fact, the Jacksons were only days away from adopting a foster girl who had been in their care.

The parents had apparently made no attempt to hide the condition of the boys, bringing them regularly to activities at the church they attended. They told investigators what they had previously told visiting caseworkers as well as members of their church, that the boys had eating disorders and other medical problems. On October 27, as the case rapidly ballooned into another statewide scandal, nine DYFS caseworkers and supervisors who were connected with the Jackson case—some of whom had never even seen the boys or the Jackson home—were suspended without pay pending their firing. On the following day, Bruce and Vanessa Jackson were arrested on assault and child endangerment charges.

The reaction of state officials was an attempt to cover up the government's responsibility by unloading full blame onto the family

and state caseworkers. Press conferences were held and ringing denunciations issued. New Jersey Governor James McGreevey, having only recently weathered a DYFS crisis this past February when a seven-year-old Newark boy was found dead in a filthy basement along with two other badly abused boys, lashed out at DYFS caseworkers: "What rational human being can conduct a safety assessment, look at children, the four boys in dire circumstances, and accept the representation of the parents that they have eating disorders? It's ludicrous. It's nuts."

Similarly, Gwendolyn Harris, head of the NJ Department of Human Services, remarked: "It's deplorable. It's unacceptable. I am faced with the understanding that I have staff that is either incompetent, uncaring, or who have falsified records." The state's leading newspapers trumpeted the arrests of each of the parents on over a dozen charges apiece, along with the multiple firings at DYFS.

Following their suspension, the caseworkers were called to a closed-door meeting in the State capitol where the disciplinary charges lodged against them, including 'loafing', 'idleness,' and 'neglect of duty,' among others, were read aloud individually and presented on official forms that read "you neglected your responsibilities for clients," followed by the boys' initials. The hearing had all the trappings of a drumhead proceeding, held only for the purpose of publicly scapegoating workers and supervisors. At least two of the workers at the hearing had not been involved with the Jackson case since 2000.

Within days, a House Ways and Means subcommittee in Washington got into the act, holding a hearing at which big business politicians from both parties could add their expressions of "outrage" to those of the New Jersey Governor and other state officials.

Whatever the failings of the caseworkers involved, the comments and actions of the federal and state authorities reeked of hypocrisy. The level of hysteria in the official response was directly proportional to the authorities' own responsibility for the failure of the child welfare system expressed in the Jackson case.

Investigations of past abuse cases, and especially the class action suit filed by Children's Rights in 1999, have repeatedly shown that DYFS workers' caseloads are far too high, and that the workers lack the experience and training necessary to deal with the problems they face. Eight out of 10 caseworkers, frontline supervisors and casework supervisors have less than five years' experience; and one in four caseworkers is a trainee with less than one year of experience. The caseworker who was in the most direct contact with the Jacksons at the time the scandal erupted was a 29-year-old woman in her first year as a full-time social worker.

The recommended number of cases for a single DYFS worker is 15;

the statewide average in New Jersey for this year is 33. Experts appointed by the New Jersey Legislature, the same body that publicly humiliated the nine DYFS employees, determined that DYFS needs over 1,000 additional caseworkers, supervisors and aides to function properly, and at least 300 more workers just to bring caseload averages in line with national standards.

Despite the media vilification of the Jackson parents, the state's case against them is by no means firmly established. Though the boys have gained weight since being removed from the home, several experts have contradicted the state's accusation that the parents deliberately neglected the boys. There are indications that the parents may merely have been incapable of dealing with the boys' medical conditions.

Members of the immediate family, including their adopted children, have spoken in the parents' defense, and the pastor at the New Testament church that the Jackson family attended said that the children regularly participated in church activities and appeared energetic. He has also seconded the Jacksons' claims that the boys had complicated medical conditions. Medical experts noted that, while malnutrition certainly played a factor in their overall condition, the fact that the boys have gained weight does not necessarily mean they didn't have medical conditions or eating disorders. The state's claim that genetic testing on the boys had ruled out the possibility of eating disorders was also swiftly refuted by a Columbia University professor.

The principal problems in the Jackson case—all of them dismissed as the individual responsibility of the parents and caseworkers—have their roots in the social catastrophe created by poverty, budget cuts and social polarization in New Jersey and throughout the US.

The boys, and many thousands of other children like them, end up in the foster care system in the first place because the combination of economic and social problems facing their families proves insurmountable. The disintegration and forcible dissolution of families produces the need for a growing system of foster care, in New Jersey and elsewhere.

DYFS, which will investigate a child's living conditions on the request of the child's teacher, for instance, has the authority to remove children from the custody of parents if it concludes that they have been abused or that the parents cannot properly provide for them. Parents who are unemployed, who do not have access to health care, who cannot earn enough to pay for basic needs, who are unable to devote enough time to their child because of job pressures, whose psychological tolerance for the frustrations of raising a child is instead consumed by the stress of being unable to make ends meet—are not offered meaningful assistance, but are sometimes confronted with losing their family.

The growing child welfare scandals are the direct result of the systematic weakening of the foster care system by the very same officials who now feign outrage over its latest publicized failure. Since the 1990's, the prevailing approach to social problems such as child welfare, public assistance, and school retention and graduation rates, to name a few, is to simply make them invisible by manipulating the manner in which they are measured.

Much as welfare rolls have been "slashed" by forcing the poor into minimum wage jobs or alternate means of survival, and much as high school dropout statistics and graduation rates are "improved" in urban schools by forcing students out of school and then not counting them, so the states have dealt with the growing need for foster care by packaging financial incentives on both the federal and state level that will make it possible to expedite adoptions out of the foster care

system. This enables the state both to save money and also to hide the extent of the crisis

In 1997, a federal law offering \$6,000 for every adoption a state could achieve in the excess of the number they completed the year before went into effect. Meant to encourage states to move children more speedily from foster care to adoption, it had precisely that effect: in New Jersey, annual adoptions doubled from 621 in 1998 to 1,364 in 2002.

Many of these adoptions, however, were carried out in a way that risked new and worse problems. The Southern Adoption Resource Center, the DYFS office that oversaw the Jackson case as well as all other cases in six southern New Jersey counties, had been closed in 2002 for violations of the agency's own internal regulations. It failed to interview all family members prior to adoption and did not conduct follow-up interviews every six months as required. It was allowed to continue operating under a temporary certificate, and it is likely that, given their heavy caseloads, workers were unable to keep up with these standards. Given the growth in the state's adoption numbers, and the fact that \$6,000 was collected for each one placed over the year before, the state was benefiting financially from the office's practices, and had little interest in enforcing more rigorous procedures.

The state itself offers several hundred dollars per month for each adopted or foster child under the age of 18. One foreseeable outcome of this policy—especially given the level of caseworker overload limiting the ability of the workers to seriously evaluate the adopting families and conduct appropriate follow-up work—is that children often end up in families that are least prepared to give them what they require. Under conditions of deepening social deprivation facing large segments of the population, some of these families are completely dependent upon these state grants for their survival.

While the exact circumstances in this case may not yet be clear, this element definitely appears to be a factor in the Jackson story. The \$374 to \$473 per month that the Jacksons received for housing, food and transportation for each of their five adopted and foster children under age 18 was the only source of income supporting an 11-member household. As it was, the Jackson family was in dire financial shape. With no adults employed, the family owed some \$9,000 in back rent on their house, had lost gas service and had been without electricity since late spring of this year.



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