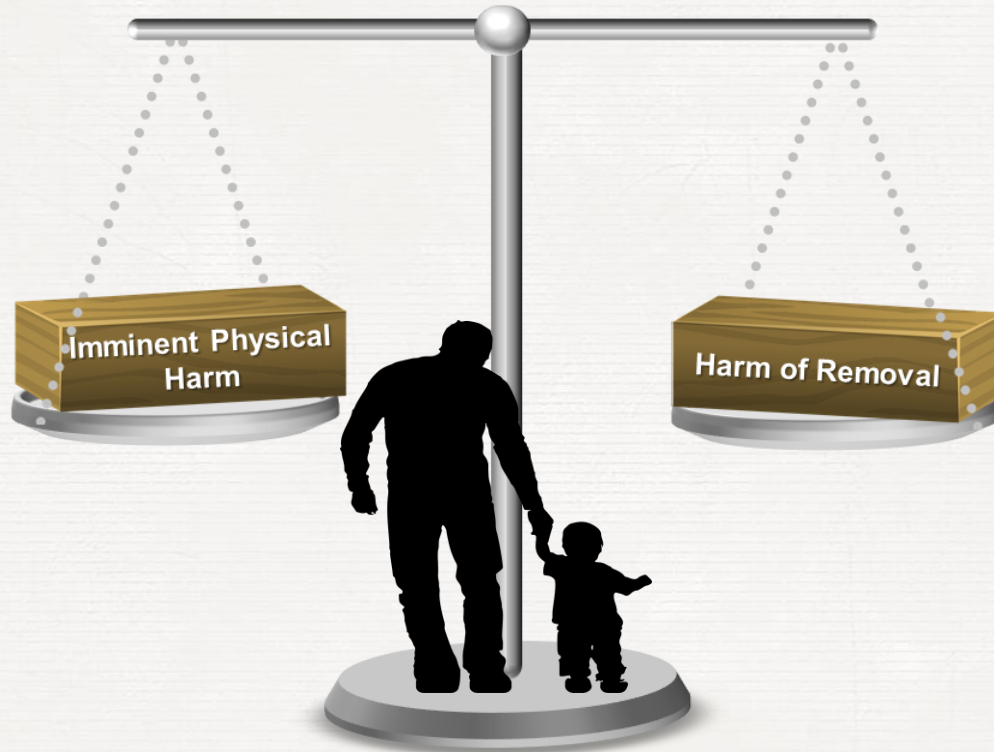


Keeping Families Together:

Understanding the Harm of Removal and Balancing of Safety



Meet the Presenters

Laura Vogel

Family & Youth Justice
Programs, Administrative
Office of the Courts

Jacob D'Annunzio

Office of Public Defense
Parent Representation
Program

Tarassa Froberg

Department of Children,
Youth & Families

Jasmine Hodges

Department of Children,
Youth & Families

Keeping Families Together Act (HB 1227)

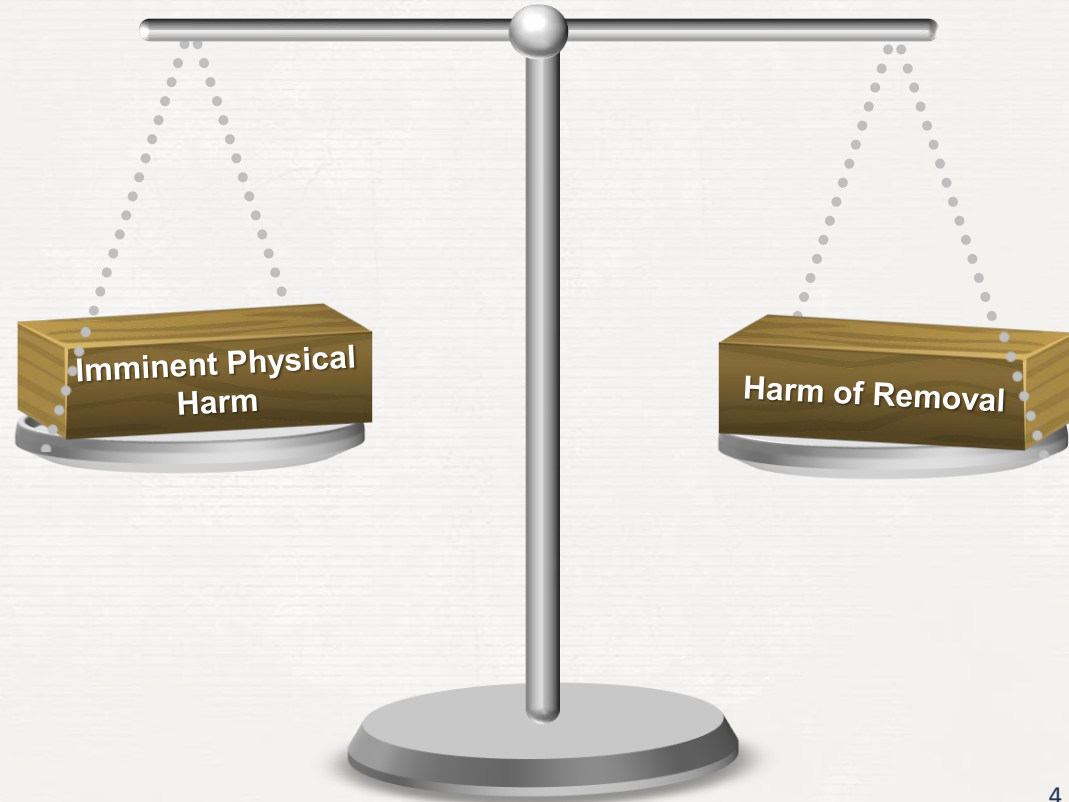
The Washington State Legislature passed the Keeping Families Together Act in recognition that children and families are best served when children are cared for by their loved ones and in their communities.



Check out materials from yesterday's workshop: Keeping Families Together: Overview of Keeping Families Together Act (HB 1227)

The **Keeping Families Together Act**

makes fundamental changes to how courts make decisions about ordering the removal of children from the home.



Keeping Families Together Act (HB 1227)

Raises the standard by which a court may enter an order directing a child be removed from the home to preventing “**imminent physical harm**”, and mandates that at Shelter Care the court shall release a child to a parent unless the court finds that removal of the child is necessary to prevent **imminent physical harm**.

Effective Date: July 2023

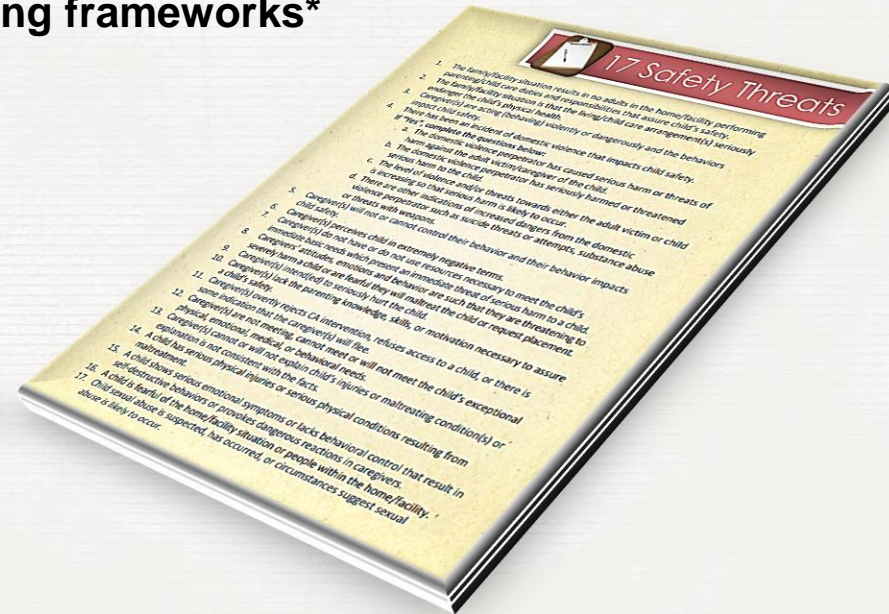
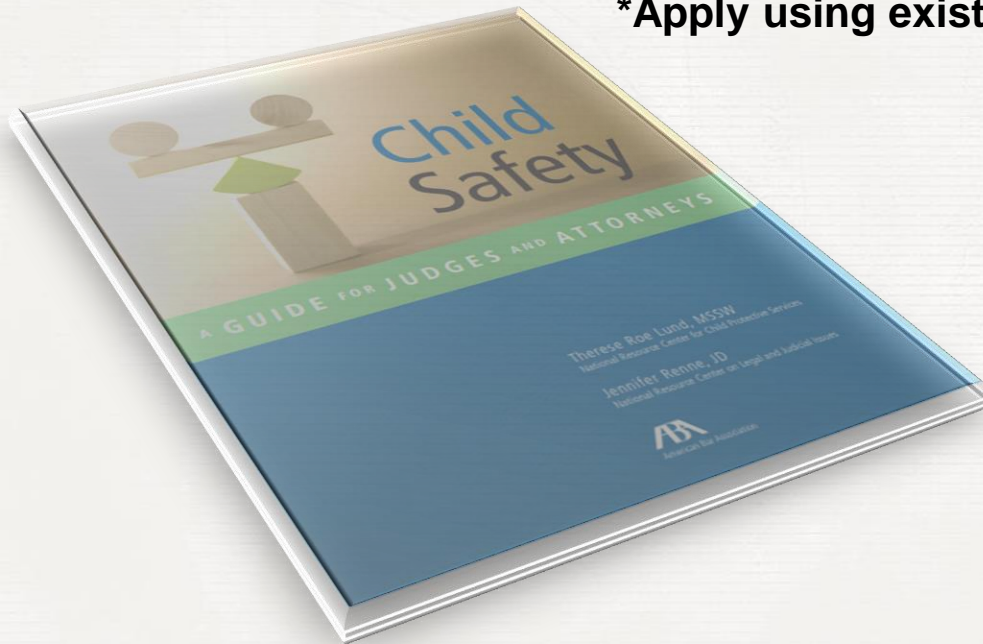


Imminent Physical Harm

Standard for REMOVAL, not to find a child dependent

Not Statutorily Defined

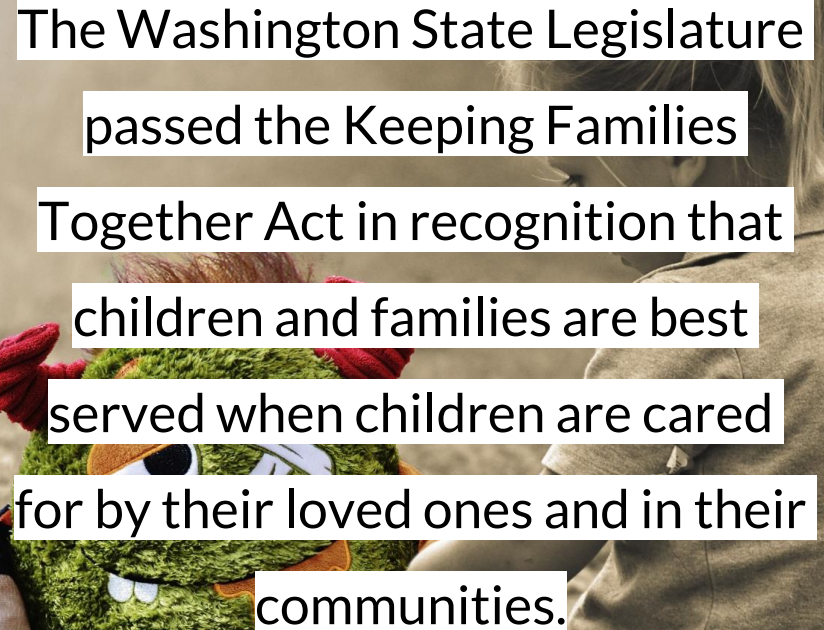
Apply using existing frameworks



Keeping Families Together Act (HB 1227)

Requires courts to consider the likely **harms of removal** that a child will likely experience as a result of removal from their primary caregiver.

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Ambiguous Loss

Physical absence with psychological presence





Patterns of Stress Activation

Unpredictable



- Extreme
- Prolonged
- Sensitization/
Vulnerability

Predictable



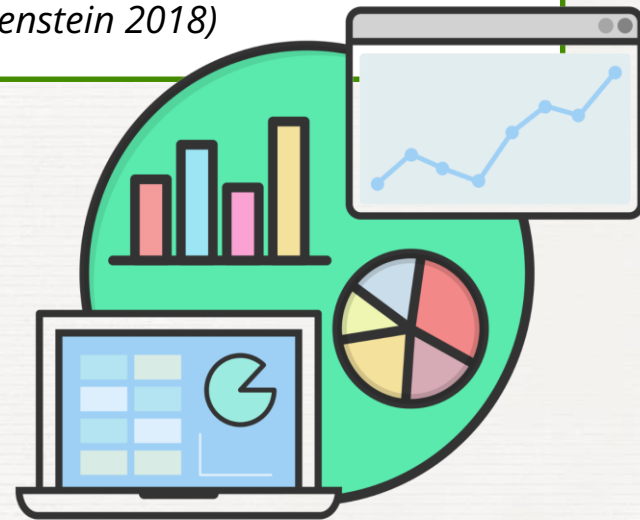
- Moderate
- Controllable
- Tolerance/
Resilience



Multiple placements = Multiple Separations

Children generally suffer worse outcomes when removed than if they had been allowed to remain in marginal homes

(Ryan & Testa 2005; Doyle 2007; Doyle 2008; Lowenstein 2018)



Children who have been placed in foster care are:

7x as likely to experience depression

6x as likely to exhibit behavioral problems

5x as likely to feel anxiety

3x as likely to have attention deficit disorder, hearing impairments and vision issues

2x as likely to suffer from developmental delays, asthma, obesity and speech problems

Why is this important-Negative Outcomes of Children in Foster Care

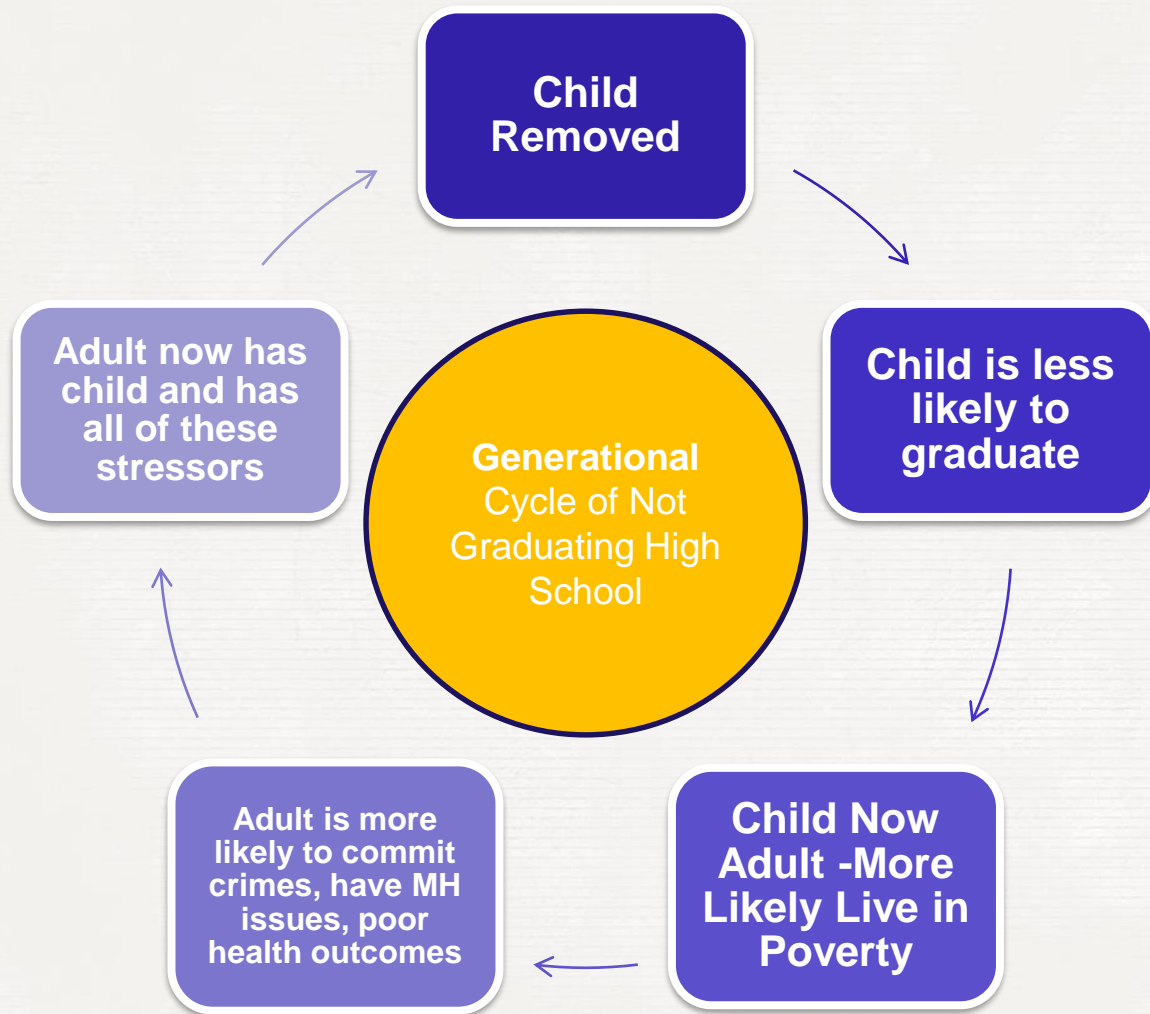
Are less likely to graduate-In 2017 in WA State, 81% of non foster kids graduated versus 46% of foster kids. In 2021 it was 83% versus 48%.

[close](#) or Esc Key

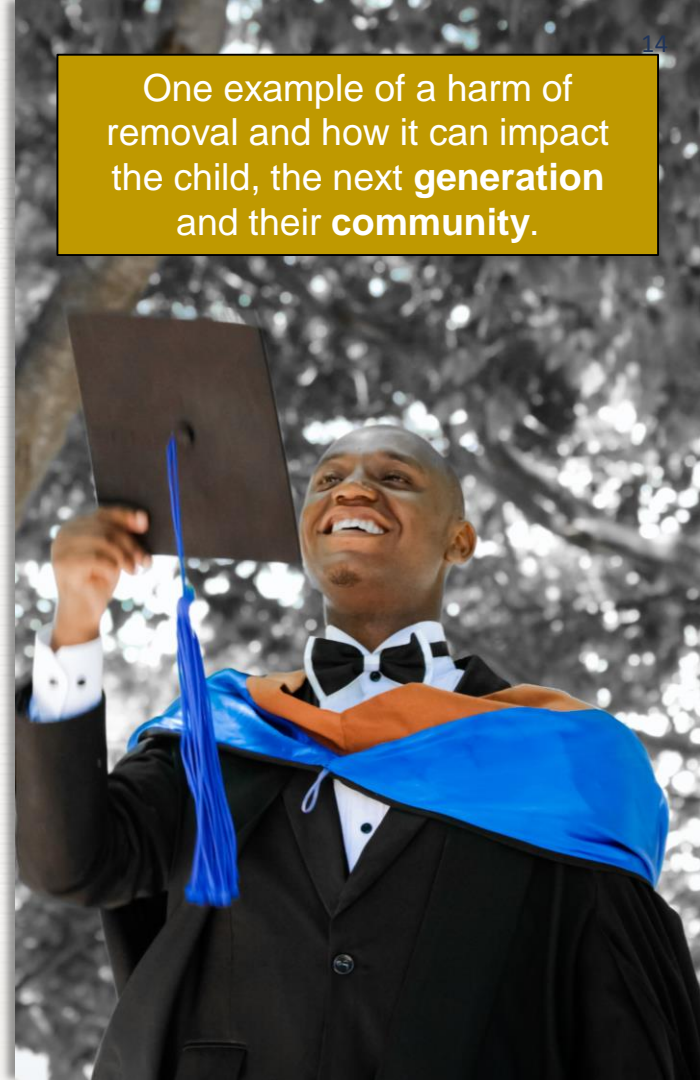
Earnings and unemployment rates by educational attainment, 2020

Educational attainment	Median usual weekly earnings	Unemployment rate
Doctoral degree	\$1,885	2.5%
Professional degree	1,893	3.1
Master's degree	1,545	4.1
Bachelor's degree	1,305	5.5
Associate degree	938	7.1
Some college, no degree	877	8.3
High school diploma, no college	781	9.0
Less than a high school diploma	619	11.7

Note: Data are for persons age 25 and over. Earnings are for full-time wage and salary workers.
Source: U.S. Bureau of Labor Statistics, Current Population Survey.



One example of a harm of removal and how it can impact the child, the next **generation** and their **community**.





Disproportionate Impacts ¹⁵

Specifically Black & Indigenous Families

- Acceptance for investigation (Zuravin et al., 2005)
- Substantiation of alleged maltreatment (Ards, et al., 2003)
- Placement in out of home care (Rivaux, et al., 2008)
- NOT being placed with Relatives
- Multiple Moves within the first 12 months
- Length of time in placement
- Longer time to reunification (Hill, 2005)

Assessing harm of removal



Mitigation of Harm Through Relational Connections

Placement

- Relative/suitable other
- Supports reunification
- Provides stability
- Includes siblings

Family Time Visitation

- Frequent / consistent
- Least-restrictive, natural setting
- Developmentally appropriate

Family Time workshop today at 1:00pm

Educational Stability

- Same school
- Pre-school and/or daycare

Educational Stability workshop today at 2:45pm

“Connectedness has the power to counterbalance adversity.”

-Dr. Bruce Perry

Child & Family Specific Mitigations

- Race & Ethnicity
- Religious observances
- Culture & traditions
- Language
- Routines
- Extracurricular activities
- Medical & dental providers
- Pets
- Belongings
- More.....

Cannot do this without knowing the family

Relational Homes workshop today at 9:45am

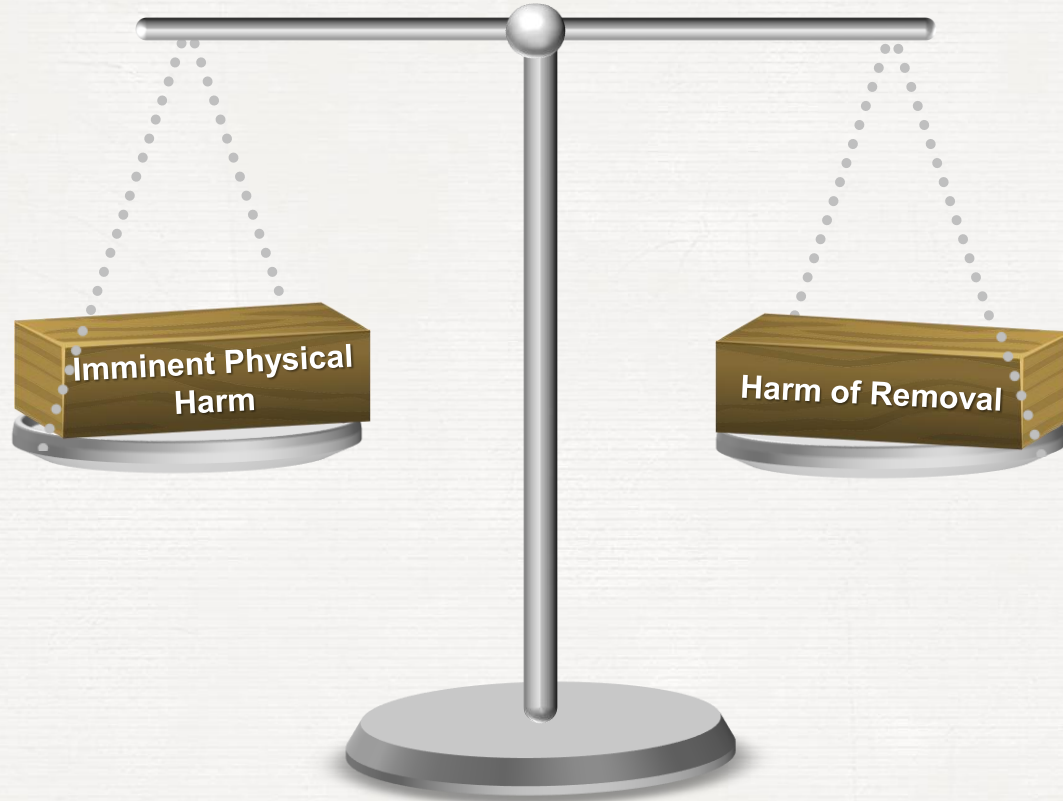
Keeping Families Together Act (HB 1227)

Requires courts to weigh the potential for imminent physical harm to a child in the home against the harm that child will likely experience as a result of removal from their parent(s).

Effective Date: July 2023



Balancing Test



What role can YOU play?

Safety Planning

- Does NOT require change in parents behavior or attitude
- Controls threats IMMEDIATELY

Current
assessment
of safety

Case Planning

- Requires changing parental behavior
- Goal is to control threats OVER TIME

WHAT IF? WHAT
WHAT WHAT IF? IF?
IF? WHAT IF?

Thank You!

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