Agenda for today: Child Toxic Stress and the Foster Care System

1. Recap of Sessions #1 and #2; review of key concepts. (12:00–12:10)
2. A snapshot of foster youth in Kansas and beyond. (12:10-12:15)
3. Why are foster youth more likely to experience toxic stress? How is foster care system involvement both a symptom and a cause of toxic stress? (12:15-12:30)
4. How do marginalized identities compound toxic stress for foster youth? (12:30-12:45)
5. Review of session and preview of Session #5, which will focus on effective interventions and systems approaches; questions. (12:45 – 12:50)
Learning outcomes

1. Learners will be able to explain why foster youth are at a higher risk for toxic stress, including the role played by family support, factors that contribute to removal of youth from the home, school climate, and other factors that increase risk.

2. Learners will be able to explain why toxic stress risk factors both contribute to and are the result of youth involvement in the foster care system.

3. Learners will be able to describe the multiplying role that layers of toxic stress risk factors play in the overrepresentation of racialized, LGBTQ+, and disabled youth in both the foster care system and the juvenile justice system (crossover youth).
Part 1. Sessions
#1, #2, and #3: recap and review

Basics of Child Trauma and Juvenile Justice System Involvement

Racial Trauma and the Juvenile Justice System

Child Toxic Stress and LGBTQ Identity/Discrimination
Welcome, and welcome back!

Thank you so much for choosing to spend an hour with me today with some very challenging topics: childhood adversity, foster care system involvement, and the impact on the juvenile justice system—your workplace.

If you haven’t joined us for prior sessions, welcome! If you did join us previously, welcome back. It’s great to have you here.
Recap: Adverse Childhood Experiences, toxic stress, and system involvement

We talked about:

- The difference between adverse childhood experiences and toxic stress
- How and why the same experience is traumatic for some kids but not all
- What trauma reactions look like
- Why researchers have expanded the number and type of ACEs
- "Expanded ACEs"

*http://www.cdc.gov/violenceprevention/acestudy/pyramid.html
Disparities persist in Kansas

Kansas Disproportionately Incarcerates Youth of Color

Fifty-three percent of youth incarcerated in Kansas are Black, Latino, American Indian, or Asian. Moreover, Black youth are disproportionately represented at every point in the state's juvenile justice system. In 2018, compared with white youth, Black youth in Kansas were

- 3.0 times more likely to be arrested,
- 5.6 times more likely to be detained, and
- 7.3 times more likely to be in secure confinement.⁹
How do RBTS and racism(s) impact the racially disparate rate of JJS involvement? What’s next?

Theories explaining racial disparity in juvenile justice system involvement are basically of two types: differential offending; differential treatment.

If we take a step back, we can think yet more deeply into the systems and interactions that shape, constrain, and direct our youth.

This lens can remake the way that we think about and support living wages, schooling, access to healthy food, childcare, and medical care—and yes—the juvenile justice system.

This is just the beginning of the story.
A snapshot of LGBTQ youth in Kansas

Kansas, a state of 2,935,000 people, has about 19,000 youth ages 13-17 who identify as LGBTQ.

The Trevor Project’s 2022 national survey of LGBTQ mental health breaks out data on these young Kansans.

As we’ll see, LGBTQ youth in Kansas struggle with discrimination and mental health challenges at a relatively high rate.

Table 1. Estimated number of LGBT youth ages 13-17 in the US and by state

<table>
<thead>
<tr>
<th></th>
<th>LGBT (Total)</th>
<th>LGB (Total)</th>
<th>LGB (Cisgender)</th>
<th>LGB (Trans)</th>
<th>TRANSGENDER (Total)</th>
<th>TRANSGENDER (Straight/Other)</th>
<th>TRANSGENDER (LGB)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas</td>
<td>19,000</td>
<td>18,000</td>
<td>18,000</td>
<td>700</td>
<td>1,300</td>
<td>600</td>
<td>700</td>
</tr>
</tbody>
</table>
Session #4 Quiz (pre-test)

1. A child with five or more foster care placement is at a 90% risk of involvement with the criminal justice system.
   - True
   - False

2. What percentage of crossover youth face challenges with mental health or substance abuse?
   a. 32%
   b. 57%
   c. 83%
   d. 96%
Part 2. A snapshot of foster and crossover youth in Kansas

Placement stability and access to mental health care continue to present challenges.

Kansas foster kids suffer from shortage of mental health providers, high caseloads

In new podcast episode, foster care contractor talks about surge in youth substance abuse
Foster youth in Kansas: mental health care

There is a crisis of inadequate mental and behavioral health care capacity and access for foster youth in Kansas.

As reported in Kansas press last month, two audits of the foster care system—a federal review and an audit done as part of a lawsuit settlement—found inadequate safeguards for youth, a trend to bounce kids between homes too often, and a shortage of mental health care.

- In 2021, Kansas averaged 5.84 moves per 1,000; in 2022, it was 7.29.

According to KVC Kansas, the mental health care availability crisis arose in part because SB 367 triggered an influx of crossover youth into foster care without an influx of resources to appropriately support their needs.
## Foster youth in Kansas: overrepresentation

### What data can tell us about foster placements

**Kansas profile**

### Race and Hispanic origin of children and youth in foster care compared to the total child population

<table>
<thead>
<tr>
<th>Race or Ethnicity</th>
<th>Total Population</th>
<th>Foster Care</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian or Native Alaskan</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Asian</td>
<td>&lt;1%</td>
<td>3%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>6%</td>
<td>14%</td>
</tr>
<tr>
<td>Hispanic or Latino</td>
<td>14%</td>
<td>19%</td>
</tr>
<tr>
<td>Native Hawaiian or Other Pacific Islander</td>
<td>&lt;1%</td>
<td>&lt;1%</td>
</tr>
<tr>
<td>Multi-racial</td>
<td>9%</td>
<td>62%</td>
</tr>
<tr>
<td>White</td>
<td>66%</td>
<td>62%</td>
</tr>
</tbody>
</table>
Foster youth in Kansas: multiple placements

Children in family-based foster care—especially if they live with relatives—are more likely than those in congregate care to have experienced only one foster care placement.

Percent with no placement changes, by time spent in foster care

- Relative family foster home
- Nonrelative family foster home
- Congregate care

Among children in foster care 0–6 months:
- 73% relative family foster home
- 52% nonrelative family foster home
- 18% congregate care

Among children in foster care 7–12 months:
- 56% relative family foster home
- 42% nonrelative family foster home
- 13% congregate care

Among children in foster care 13–24 months:
- 46% relative family foster home
- 27% nonrelative family foster home
- 16% congregate care

Among children in foster care >24 months:
- 29% relative family foster home
- 11% nonrelative family foster home
- 32% congregate care

Percent with no placement changes, by age

- Among children ages 0–12:
  - 54% relative family foster home
  - 34% nonrelative family foster home
  - 12% congregate care

- Among children ages 13–17:
  - 44% relative family foster home
  - 15% nonrelative family foster home
  - 6% congregate care
Crossover youth

The Kansas Crossover State Policy Team has set the following definitions:

Crossover Youth: a young person aged 10 or older with any level of concurrent involvement with the child welfare and juvenile justice system.

   Involvement in the juvenile justice system includes: court ordered community supervision and Immediate Intervention Programs (IIP).

Involvement in the child welfare system includes: out of home placement, as assigned investigation of alleged abuse or neglect with a young person named as alleged perpetrator, and/or participation in voluntary/preventive services that are available.
92 percent of crossover youth are first involved in the child welfare system.¹

40 percent of crossover youth are female, which is disproportionately high compared with the general juvenile justice population.⁵

47 percent greater risk

Maltreated youth are at a higher risk for becoming involved in delinquency than youth from the general population.⁴

56 percent of crossover youth are African-American, which is disproportionately high compared to their peers from other racial groups.⁶

LGBTQIA+ youth are overrepresented within the crossover youth population.⁶

83 percent of crossover youth have challenges with mental health or substance abuse.⁵
Part 3. Foster youth and toxic stress

How is foster care system involvement both a result and a cause of toxic stress? What role do Adverse Childhood Experiences play?

What is the foster care to prison pipeline and what does toxic stress have to do with it?
Foster care system involvement is a result of toxic stress

Not all placements result from the impact of toxic stress in a child’s origin family, but most do.
Foster care system involvement can be a cause of toxic stress

Stressors involved with child removal and foster care placement are legion: family separation, changing schools, instability.

Stable relationships can buffer stress. But foster parents frequently lack the training needed to understand and intervene in trauma responses and the resulting behaviors.

This can result in foster kids having police called on them for relatively minor infractions.
Placement instability is a bridge between systems

#FOSTERCAREMONT

YOUTH PLACED IN GROUP HOMES ARE 2.5 x more likely TO GET INVOLVED IN THE JUSTICE SYSTEM

90% OF YOUTH WITH 5+ FOSTER PLACEMENTS WILL ENTER THE JUSTICE SYSTEM
What is the foster care to prison pipeline?

Consider the role that toxic stress—high levels of stress in the absence of sufficiently close and supportive adult relationships—plays here.

Most kids entering foster care have mental health and behavioral health issues and need treatment.

What happens if it’s not available?
Part 4. How do marginalized identities compound toxic stress for foster youth?

How are marginalized youth overrepresented in the foster care and juvenile justice systems? What role do multiple marginalized identities play?
LGBTQ youth are overrepresented in foster care

LGBTQ youth enter the foster care system for reasons like abuse, neglect, and parental substance abuse—the same reasons as other youth.

But in addition, many LGBTQ youth also experience rejection by their families of origin.

It’s hard to track the numbers because there is no mandate to collect this information, but research indicates that the percentage of LGBTQ youth in care is about two to three times the percentage of LGBTQ youth not in care.

Foster care is a risk factor for juvenile justice system involvement.

“I was told that foster families didn’t want a gay kid in their home, so I grew up in group homes and residential centers where I was abused sexually, physically and emotionally.”

—Kristopher Sharp, eight years in foster care
Kansas currently lacks laws specifically protecting LGBTQ foster youth. Political disagreements exist about potential protections.
Locked Up: LGBTQ Youth

There are 220 youth in Kansas's youth prisons as many as 20% identify as LGBTQ.

Call for Change: Recommendations

- Provide meaningful alternatives to prison and out-of-home placements for youth
- Implement trauma-informed policies and practices throughout the juvenile justice system

In General

- 7-9% of youth are LGBTQ
- 61% of LGBTQ youth are girls

In the Juvenile Justice System

- 39-50% of girls are LGBTQ or gender non-conforming
- These girls are predominantly girls of color

Mistreatment and Abuse of Detained LGBTQ Youth

- LGBTQ youth are detained longer
- Sexual minority youth were detained 2-3 times longer than straight youth
- LGBTQ youth report high rates of sexual and physical assault—by staff and peers

IN GENERAL

IN THE JUVENILE JUSTICE SYSTEM

39-50%

61% of LGBTQ youth are girls

7-9% of youth are LGBTQ

These girls are predominantly girls of color

LGBTQ youth are detained longer

Sexual minority youth were detained 2-3 times longer than straight youth

LGBTQ youth report high rates of sexual and physical assault—by staff and peers

21% of gay and bisexual boys reported sexualization by a peer and 15% reported sexual contact with staff

Persyn Law & Policy
Bending Toward Justice
REM youth overrepresented in foster care
Disabled and special-needs youth overrepresented in foster care

**HIGHER RISK OF REMOVAL TO CARE**

There are currently 7.3 million children with disabilities in the United States. They made up 15% of school enrollment in 2021-22.

By contrast, around 30%-40% of foster children have disabilities and about 8% have physical impairments.

Research tends to show that children with disabilities are at a higher risk of maltreatment and removal.

**HIGHER RISK OF MALTREATMENT IN CARE**

Unfortunately, that risk often continues in foster care.

Children and youth with disabilities face a higher risk of maltreatment in the foster care system.

Often, this is because foster families lack access to necessary services and supports.
Disabled and special-needs youth face unique challenges in foster care

Children with Disabilities in Foster Care

- Emotional, behavioral, and learning problems more likely
- Higher rates of disabilities requiring SPED
- Common diagnoses:
  - Emotional disabilities (e.g., Oppositional Defiant Disorder)
  - Depression
  - Anxiety
  - ADHD
  - PTSD
- Impacts of trauma and disruption
Impact of multiple minority identities

- Research tends to show that youth with more than one minority identify are more likely to be foster youth and, subsequently, juvenile justice system-involved.

- For example, in one survey done in Los Angeles, 28.5% of LGBTQ foster youth were Black, despite the fact that only 9% of the youth population is Black.

- "LGBTQ foster youth have an added possibility of family rejection and discrimination; in addition, Black foster youth must navigate racial bias in the child welfare system and that which prevails systemically." - Jevay Grooms (2020)

- Studies that have examined racial and ethnic minority identify together with sexual orientation and gender identity and expressions (SOGIE) have found that between 85%-90% of juvenile justice system-involved youth who identify as LGBTQ are also REM-identified youth.
Stepping back

- Is there anything here that surprises you?
- What do you think are the most important implications for your practice?
Session #4 Quiz (reprise)

1. A child with five or more foster care placements is at a 90% risk of involvement with the criminal justice system.
   - True
   - False

2. What percentage of crossover youth face challenges with mental health or substance abuse?
   a. 32%
   b. 57%
   c. 83%
   d. 96%
What to expect in Session #5

Systemic Considerations: A Trauma-Informed Approach to Child Welfare and Juvenile Justice
November 16, 2023, Noon-12:50 pm CST
Session #5

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Registration for 2023 juvenile justice webinars

https://www.kscourts.org/About-the-Courts/Programs/Juvenile-Court-Training