Out of State, Out of Mind

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Illustration by Christine Ongjoco
At an Aug. 18 virtual “pop-up” explaining his new safety planning and informal family planning arrangement policies, the director of Washington, D.C.’s Child and Family Services Agency (CFSA) touted these policies as ensuring D.C. children who come to the attention of his agency are not removed from their homes.

But when Robert Matthews talks about “not removing” children, that is not entirely true. He means that he is not removing them to live in foster care, with all of its associated supports and services for the family. Instead, the agency still removes them from their homes and separates them from their parents, but it is done without any court oversight or accountability; this is often referred to as kinship diversion or hidden foster care.

Of even greater concern is that the agency is sending some of these children to other jurisdictions far away from their homes, without ensuring their safety in the new location or providing a pathway for them to reunify with their parents. At the pop-up, Matthews provided six recent examples where children were removed from their homes and communities and sent to other states such as Florida, New York and North Carolina. In one example, the agency paid for the child to fly to Florida and, when the child ran away and returned to D.C., the agency again intervened and flew the child back to Florida.

Stunningly, the agency does not conduct criminal background checks or even a review of the national sex offender registry before handing the children over. While in some cases, CFSA will review its child abuse protection registry before placing these children, the agency clearly cannot and does not do so when children are sent to live somewhere other than D.C.

If you are wondering how this could possibly happen, CFSA explains it away by saying a parent has voluntarily agreed to the arrangement. It is hard to believe that consent could possibly be voluntary when the parent does not have a lawyer to explain their rights and the parent knows that the agency has the power to take the parent to court and formally place their children in foster care with strangers. In at least three examples provided by Matthews, there was not even a parent who could consent at all, much less voluntarily.

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