

NOTES FROM THE FIELD

THE CHILDREN'S RIGHTS NEWSLETTER

FALL
2012



Defending America's
Abused and Neglected Kids

INSIDE:



Swizz Beatz honored at Seventh Annual Children's Rights Benefit

Co-Chair Nick Cannon:
"The reason why we
are all here tonight,
we truly understand
the power of giving...
and what it means
to make the world a
better place."



CR Campaign yields big changes for Oklahoma's kids

IN FOCUS:

Psychotropic Drugs and Foster Care



Photo courtesy of Laurence Borten

Mia was prescribed powerful psychotropic medications while in foster care.

As hard as she tried, Mia couldn't stay awake in class.

"They would bang on the desk near my head to wake me up and I never would," the former foster child, now 19, told Children's Rights. At the time, she was on "five or six" medications. "I couldn't even function," she said.

Mia is one of thousands of foster kids who have been prescribed powerful psychotropic drugs to help them cope with a variety of mental health issues—from depression, anxiety, and post traumatic stress disorder, to reactive attachment disorder and bipolar disorder.

Mia, who suffered from serious depression, believes such medications can help—to an extent.

"I hit a very low point in my life. I feel like if I hadn't been on at least one or maybe two and then going to therapy and really working on the issue, I don't know where I would be now," she said. Still, she is adamantly against putting kids on too many medications, doses that are too high, and drugs they don't need. "I don't condone relying on pills to try to fix everything," she said.

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ON THE FRONTLINES

FROM CR'S EXECUTIVE DIRECTOR

Sometimes, when we're in the midst of tough legal campaigns, it's nice to know we're not alone—that people from all walks of life recognize the inherent need to keep America's foster children safe from abuse and neglect.

We felt this at our Seventh Annual Benefit.

There was palpable energy in the room—a renewed vigor from our longtime supporters, and an instant alliance with newcomers. Every one of the 350 in attendance left the Plaza Hotel's ballroom knowing that change is needed, change is possible, and we all are part of the solution.

The event's success was in part due to an impressive lineup—Children's Rights Board Member Darryl “DMC” McDaniels, actor and TV personality Nick Cannon as Co-Chair, and modern-day renaissance man Kasseem ‘Swizz Beatz’ Dean, who received our 2012 Children's Rights Champion Award.

We are supremely grateful for the excitement this star-studded celebration brought to our cause. We thank everyone who made the evening what it was, including our benefactors, Rebecca and Jordan Seaman.

The true star, however, was Emalee, a young woman from Texas. She described the neglect of her drug-using, drug-dealing mom—but said the real mistreatment began after she entered foster care, when she experienced her first hunger pain. Having her head put through a wall. Sexual abuse. And then, when she started getting angry, being put on a host of psychotropic medications to keep her in line. After living through every horror that one can in foster care, she aged out without the basic skills to survive.

But survive she has, through her quick wit and determination to give her three children the support and guidance she never had. She brought the house down, and reminded me of why it was so critical that Children's Rights file a lawsuit in Texas to demand radical changes to its foster care system.

Emalee is far from the only one who felt she was overprescribed powerful medications. In “Psychotropic Drugs and Foster Care,” you will hear former foster youth describe an inability to stay awake in school and feeling like zombies. While some youth definitely benefit from carefully administered psychotropics, foster children are prescribed the pills at an alarming rate—and often without proper oversight or the mental health treatment that traumatized children need.

This is especially true in Massachusetts, where there is too little supervision of the use of these medications in foster care. An expert report revealed that children have been “prescribed medications that were not warranted.” One child was just 6 when he was hospitalized for post-traumatic stress disorder (PTSD). He was given Clonidine, Depakote, Concerta, Zoloft, Celexa, Trazadone, Focalin, Geodon, Abilify, Risperdal and Adderall. Not one of these medications is approved for PTSD.

This is only one aspect of the Massachusetts child welfare system that we are striving to fix. There are a host of other issues we are addressing as we gear up for the next stages of our fights there, in Texas and Rhode Island. We press on because we know our legal campaigns produce measurable results for children. You will see in this issue how Children's Rights recently has effected change in metro Atlanta, Milwaukee and Connecticut, among other places.

Winning these fights is never easy, but we are bolstered by those who stand with us as we compel change. Thank you, and stay tuned for more good news.

Marcia Robinson Lowry
Executive Director

CR INSIDER

Dan Galpern, a longtime CR board member, explains his passion for reforming foster care.

My parents gave me the kind of love and support that every child deserves—but all kids are not so fortunate. When I learned that some grow up in foster care—often shuffled between homes and institutions, overmedicated, or repeatedly abused or neglected within the very systems that are supposed to protect them—I was incensed.

So when Alan Myers, Chairman of the Children's Rights Board of Directors, asked me to join the Board over a decade ago, I couldn't turn him down. I was fueled by a sense of gratitude to my parents, and a personal drive to give kids the best opportunities for successful futures. I wanted foster children to have what I consider so vital: families to care for them, watch out for them, and love them unconditionally.

By using legal action to systematically improve foster care, Children's Rights has impacted the lives of thousands upon thousands of kids. I have met some of these children, and I have heard their heartbreaking stories. But thanks to Children's Rights their stories are ending in hope.

When I became a member of the Board, I was in my early 30's, still single, and not yet a father. Now I have a wife and two little girls at home. I look at my daughters, and I think there is nothing I wouldn't do to protect them. Foster children need someone to look at them the same way. I am happy to be a part of an organization that is making this happen.



Children's Rights is a small organization, trying to solve an enormous problem. With about 650,000 kids spending time in U.S. foster care every year, there is still much more work to do. We need the smartest, most passionate, giving people to join our cause.

Reebok Supports Children's Rights



Reebok
CLASSICS

Guests filled the dance floor at the Children's Rights Seventh Annual Benefit After-Party sponsored by Reebok Classics.

Reebok, the sports behemoth with a history of supporting human rights, cares about kids in foster care.

The global brand's Reebok Classics division served as the official sponsor of the Children's Rights inaugural After-Party, which followed the Seventh Annual Benefit. The exciting event was hosted and deejayed by Children's Rights Champion Award winner Kasseem 'Swizz Beatz' Dean—Grammy Award-winning artist and producer, and Vice President of Sports Style Marketing, Design, and Brand Music Development for Reebok.

Reebok Classics generously supported the event with a \$25,000 contribution and also provided gift bags and key chains for all benefit attendees.

Children's Rights thanks Reebok Classics for its commitment to making a real difference in the lives of foster children.

CR's Star-Studded Benefit a Huge Success

Former Foster Child Inspires Guests: 'I lived in about 20 places from age 9 to 18. I can't remember a time when I felt loved and welcomed... but I am determined. I am not going to be a statistic.'

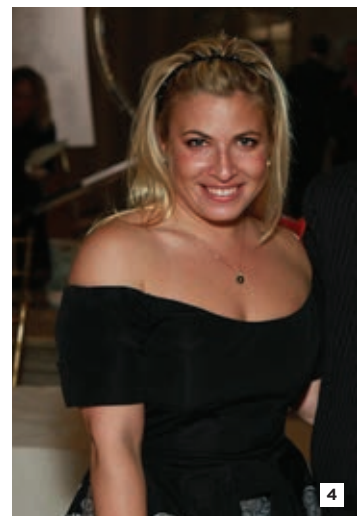
The Seventh Annual Children's Rights Benefit—held at The Plaza Hotel in New York City on Oct. 10, 2012—raised nearly \$600,000 for Children's Rights' legal advocacy to improve the lives of thousands of children in dangerous foster care systems throughout the United States.

The benefit honored modern day renaissance man and Grammy Award-winning producer Kasseem 'Swizz Beatz' Dean. Swizz was presented with the Children's Rights' Champion Award for his steadfast support of America's foster children—and his commitment to keeping kids healthy, educated and safe.

The event was co-chaired by entertainer Nick Cannon and real estate developer Michael Cayre. Children's Rights Board Member Darryl "DMC" McDaniels—hip hop icon from the groundbreaking group Run DMC—served as emcee. More than 300 guests were in attendance, including Moises de la Renta, Bow Wow and his fellow hosts of the hit BET show 106 & Park, and young people who spent time in foster care.

After watching a video of foster children speaking about their experiences, and listening to Emalee Wooton share her story of growing up in foster care, attendees were moved to donate nearly \$250,000 in a reverse auction.

The evening was capped off when Swizz deejayed for a packed crowd at the After-Party, sponsored by Reebok Classics and hosted by the Children's Right's Young Leadership Committee.



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- 1.** 106 & Park hosts Bow Wow, Miss Mykie, Pagion and Shorty Da Prince, with Rocco and Darryl "DMC" McDaniels **2.** Laurent Biron and Catherine Petree-Biron **3.** Emalee Wooton **4.** Elizabeth Jacoby **5.** The Winner family and Swizz Beatz



6. Nick Cannon, Swizz Beatz and Alan Myers **7.** Tia Walker, Lizzi Bickford and Barbara Hemmerle Gollust **8.** Moises de la Renta and Tia Walker **9.** Andrew Chen and Jennifer Levanchy **10.** Swizz Beatz **11.** The Parrish family **12.** Marcia Robinson Lowry **13.** Phil Sprayregen, Laurie Sprayregen, Kelly Shaughnessy and Jim Stanton

Win Ensures Oklahoma Foster Care Will Be Transformed

In a landmark victory for Oklahoma and its children, a federal judge approved a settlement earlier this year—resolving a 4-year old lawsuit brought by Children’s Rights and Tulsa-based law firm Frederic Dowart Lawyers—that will vastly improve care for the state’s 9,700 foster kids.

The lawsuit targeted systemic problems in Oklahoma’s child welfare system. The state historically has been among the worst in the nation for maltreatment of children in foster care. Children are frequently shunted between placements and kids as young as babies are placed in overcrowded shelters.

“Can you imagine having to sue a state agency to stop them from leaving babies lined up in cribs in shelters? That is what we had to do,” said Marcia Robinson Lowry, executive director of Children’s Rights.

Thanks to the Children’s Rights lawsuit, there is hope for the foster children of Oklahoma. The settlement agreement yields a court-enforceable roadmap for three independent child welfare experts to ensure the state reduces maltreatment, recruits more quality foster homes, lowers case-loads, and places more children in permanent, loving homes.

“This is a complex, long-term solution that will make a meaningful, transformational difference for Oklahoma’s at-risk children,” State Rep. Jason Nelson, R-Oklahoma City, told the Oklahoman newspaper.

To learn more about our victory in Oklahoma, visit www.childrensrights.org/oklahoma.



Jarod Stites, a main plaintiff in our campaign to reform the Oklahoma foster care system, is pictured with his brothers Jaquan, Jeremiah, and Moses (left to right.) They were often separated from each other as they bounced between dangerous foster placements, and have since been adopted together.

IN THE COURTROOM

Rhode Island, Massachusetts and Texas have failing child welfare systems in desperate need of top-to-bottom reform. Children's Rights has filed suit in these states to ensure foster children are protected.

Systemic problems with **Rhode Island**'s child welfare system are harming the approximately 3,000 children in its care. The state consistently ranks as one of the worst on the rate of neglect and abuse of children in foster care and placement of children in group homes and shelters. In 2010, nearly 10 percent of all Rhode Island kids who experienced abuse or neglect were maltreated again within 6 months. The system also fails to ensure children receive necessary medical, mental health and educational services.

Massachusetts fails to protect the approximately 7,500 children

in its foster care system. The state ranks among the bottom 10 in the country when it comes to the rate of maltreatment of foster children, as well as the stability of their placements. In addition, kids in foster care are prescribed psychotropic medications roughly four times as often as those outside of foster care on Medicaid.

A child entering the **Texas** child welfare system has, at best, 18 months to be adopted or reunified with his or her birth family before entering a long term arrangement known as permanent foster care. More than 10,000 children were in this situation as of 2011, an increase of more than 2,000 over the prior decade. Far too many of these kids never return to their families or get adopted, and instead grow up in state custody, moving from place to place.



Children's Rights witnessed the adoption of Sebastian and Jeffrey. Their new parents, Jeff and Dorothy, told us the boys endured abuse in the Texas foster care system. We are pressing forward in Texas to ensure more children end up with permanent, loving families.

REFORM WATCH

Most of our lawsuits end with settlement agreements and a mandate for massive reform. Children's Rights, along with independent monitors, ensures the reform goals won on behalf of children and families are met.

Connecticut has reduced by 63 percent the number of children under the age of 12 in group homes and institutions.

Ninety-one percent of all case managers in **Metropolitan Atlanta** now have an assigned caseload of children that is within the strict limits of our settlement.

Michigan has hired more than 700 new caseworkers, established a centralized hotline for abuse and neglect reports and ensured that young people aging out of care have access to health insurance.

The **Milwaukee** child welfare system is just one goal away from meeting all of the reform provisions of its historic settlement with Children's Rights.

Approximately 90 percent of all foster children in **New Jersey** are being placed with families or in family-like settings thanks in part to the state exceeding the foster home recruitment goals of our settlement.

IN FOCUS: Psychotropic Drugs and Foster Care

(continued from page 1)



Shaquita Ogletree, a former foster youth who now works as a peer support coordinator for the Multi-Agency Alliance for Children (MAAC) in Atlanta, agrees the drugs are not always warranted.

“Youth are moved from place to place, and every time they move, they have to adapt to the rules of the placement,” Ogletree said. “And so many times when youth act up—jumping on beds, shouting, normal things kids would do—they are medicated. No one is sitting down and talking with them and figuring out what exactly is wrong. What has happened to them to make them feel like this?”

Children in foster care prescribed drugs at a higher rate

Psychotropic drugs affect brain activity associated with mental processes and behavior. While such medication “can have significant benefits for those with mental illnesses, they can also have side effects ranging from mild to serious,” including drowsiness, suicidal thoughts,

hallucinations, loss of coordination, blurred vision, tremors, weight gain and high cholesterol, according to a report released in 2011 by the U.S. Government Accountability Office (GAO). The report was the result of a five-state study on the rates at which kids both in and out of foster care were prescribed psychotropic drugs through Medicaid in 2008.

According to the GAO, foster children in Florida, Massachusetts, Michigan, Oregon and Texas were prescribed psychotropic drugs at rates 2.7 to 4.5 times higher than children not in foster care. This gap may be because kids usually enter foster care after being abused or neglected and living through traumatic experiences—all factors that can affect their mental health.

But the GAO report also found that in each of the five states studied, foster kids were more likely to be on five or more psychotropic medications, and on doses that exceed U.S. Food and Drug Administration (FDA)-approved levels for their ages—increasing the potential for adverse side effects. Some

of the medications have not even been approved as safe and effective for children by the FDA.

Recently child welfare systems throughout the country have been facing tough questions about their oversight of prescriptions. Are kids on too many medications? Are their medical histories being tracked? Are they receiving the right treatment for their conditions? Are they getting the counseling and mental health support they need?

“Much of the challenges young people in foster care have are related to behavioral issues, and instead of recognizing issues of trauma, we are over-diagnosing them with mental illness,” Bryan Samuels, Commissioner of the U.S. Administration on Children, Youth and Families, said during a Senate subcommittee hearing on the use of psychotropic drugs in foster care, held last year. “These children are expressing symptoms because of stuff that happened to them. If we can make those separations, we can reduce the use of psychotropics and target medications to the children who would benefit the most.”

The problem in Massachusetts

Of the five states studied by the GAO, Massachusetts was noted to have the highest percentage of foster children on psychotropic drugs. Almost 40 percent of kids in state care were prescribed these medications, compared to 10 percent of children outside of the child welfare system, according to the report.

Children’s Rights currently is waging a legal campaign to make the Massachusetts foster care system safer for kids. As part of our fight, we secured an independent expert report, written by Dr. Christopher Bellonci, professor of Child and Adolescent Psychiatry at Tufts University School of Medicine, examining the administration of these powerful drugs to children in the state’s care.

“The report shows that Massachusetts fails to meet the minimum standards of care for foster children with mental health needs,” said Marcia Robinson Lowry, executive director of Children’s Rights. “The state lacks an oversight system and qualified staff to ensure children are safely and appropriately administered medication.”

According to Dr. Bellonci’s report: caseworkers are charged with providing consent for children’s prescriptions, but do not get adequate training to do this in an informed way; Massachusetts lacks a system to raise and monitor “red flags” signifying risk of harm, such as kids taking multiple medications at the same time; and the state has no simple means of determining what medication a child is taking on any given day.

“If a parent could not tell what medication they were administering to their child it would be considered neglect by the very state agency for whom this is a daily occurrence,” Dr. Bellonci wrote in his report.

Improving mental health care for kids

Children’s Rights agrees with experts that in some cases psychotropic medications can be warranted in combination with mental health services – but child welfare systems have the responsibility to provide rigorous oversight to ensure kids in their care are given the safest and most appropriate treatment for their conditions.

“Someone has to watch out for these kids, and in the worst of cases it takes class action lawsuits to force systems to

“

So many times when youth act up... they are medicated. No one is sitting down and talking with them and figuring out what exactly is wrong. What has happened to them to make them feel like this?



Photo courtesy of Laurence Borten

– Shaquita Ogletree, peer support coordinator

improve their practices and policies to ultimately give foster children the care and protection they need and deserve,” said Lowry, executive director of Chil-

dren’s Rights. “We will continue to fight for kids to get the mental health treatment they need to help them overcome the trauma they’ve endured.”

THE RESULTS:

CR Advocacy Leads to Psychotropic Safeguards

The roadmaps for sweeping foster care reform that Children’s Rights negotiated in **New Jersey**, **Michigan** and **Tennessee** prohibit child welfare officials from using psychotropic medications as a method of discipline or control for any child.

Children’s Rights also ensured that these states are required by force of law to hire medical directors—a position that didn’t previously exist—to monitor the usage of psychotropic drugs in foster care.

IN THEIR OWN WORDS:

Psychotropic Drugs and Foster Care



I don't feel like anybody took the time to sit with me and actually see if something was wrong with me. I've been in the waiting room while my foster mother went in and came out with a script for me.
I didn't even see the doctor.

- Emalee



*It kept me from doing my work. I was always falling asleep. I couldn't stay up for a little bit or even to finish a test, so **I kept on getting held back in school.***

- Eduardo



They felt at 5 years old that they needed to put me on these medications because of my behaviors — because I would bite and hit people. But the only reason I did that was because I felt unsafe. I didn't understand why I was living with strangers.
I did not feel safe and I acted upon it.
And I still acted upon it even after they gave me medications.

- Krystal



“

When I went to a psychiatrist for psychological analysis, **I made it seem like everything was perfectly normal...** I didn't get put on any psychotropic meds and I watched the other kids get drowsy. Their reactions were all over the place, and I just didn't want to be like that.

- Danny



“

I was very well-behaved but the only problem was that I was hyper. I was just very enthusiastic, but **they put me on medication because they didn't want to deal with that.**

- David



“

The most important thing is for them to stop putting us on medications because we don't need it. **We need love, happiness, and someone to just be there for us.**

- Quortasha



“

When I took those medications, I couldn't think for myself. **I was like a walking zombie.** You just sleep all day. I couldn't think straight. I couldn't function.

- Tevin





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DID YOU KNOW?

Thirty-five percent of foster kids are prescribed psychotropic drugs—more than triple the percentage for kids not in care.

Nine states have no policies or guidelines concerning the prescribing of psychotropic drugs to children in foster care—leaving kids vulnerable to unsupervised usage and overmedication.

In Massachusetts, foster children aged 0-17 are 19 times more likely to be prescribed five or more psychotropic drugs at once than other children, and nearly four times more likely to be prescribed a dosage exceeding FDA guidelines.

As you consider your year-end donations, please don't forget the hundreds of thousands of abused and neglected children who depend on us. To support Children's Rights, please visit **www.childrensrights.org** and click "Donate Now."