

Children's Rights

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Public Facing Advocacy Writing

By Robert Fellmeth and Sandy Santana

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In one of his first acts as president, Joe Biden [signed an executive order](#) directing the Justice Department to not renew its contracts with private prisons. The president's decision [was hailed by civil liberties organizations](#), who saw it as a blow against [an notoriously abusive system](#) that often dehumanizes the incarcerated.

This is a first step to stop corporations from profiting off of incarceration, [Biden said](#), explaining the order.

We commend the administration for this move. But there is another abusive system where corporations may profit from and victimize vulnerable people: foster care for children.

Twenty-eight states allow some degree of for-profit contracting of foster care services. The private companies that make money off foster children would have us believe that they are providing quality service at affordable rates as is often the selling point of privatization made to the general public. But extensive evidence has shown that these for-profit services are rife with mismanagement and abuse.



Take [the story of Kayla Muzquiz](#), a 24-year-old woman whose experience chronicles the tragic human price paid by children forced to live in foster care. Muzquiz entered private foster care traumatized by the death of her mother and severe abuse by her father. She left the system six years later in worse shape than when she entered. She was repeatedly abused, neglected and denied physical and mental health care services. A serious autoimmune disorder (possibly caused or made worse by her time in institutions) was undiagnosed and untreated, leaving her disabled today.

I was sent to my first treatment center in Texas when I was 12. By the time I aged out, I had been in three more placements in two other states, all owned by private companies. In each of them the people seemed more interested in treating me as a problem to be passed around from facility to facility, rather than a child in need of real help. They all had names that sounded like resorts. They were anything but.

I remember being stripped bare and told to squat and cough like a criminal I didn't even know what that meant. They never told me why I was there. I was given no therapy. They called me the little Mexican and put me in a kitchen where I did dishes all day. They had this youth group that was just cutthroat. It was designed to turn kids against each other and target the weakest child that was often me.

My last placement was in Utah. It was the worst of them all. I still have bad dreams. My sleep was monitored; I wound up banished to the basement, alone for days. They listened in on my phone calls, read my mail. I was told the sexual abuse I had lived through was my fault. The meds they put me on threw my moods all over the place. I wanted to kill myself. I feel lucky I made it out alive.

The private businesses that operate these systems don't want you to know about young people such as Kayla. Their marketing and lobbying may convince some state lawmakers to put foster children in their care, but privatizing core functions of the foster care system makes it harder for the public to exercise the necessary oversight over the activities of companies that are entrusted with the safety and well-being of vulnerable children.

Sadly, incidences of violence in privately-owned foster care facilities are on the rise. At one Michigan facility, teenager Cornelius

Frederick died after he was [violently restrained by staff for throwing a sandwich](#). An investigation of other facilities in Alabama owned by the same company uncovered horrific abuses, including violence at the hands of staff and children being forced to urinate in their rooms because they were unable to go to the bathroom.

Over and over, the children told us that they don't feel safe, Nancy Anderson, Alabama Disabilities Advocacy Program associate director, [told the news media](#).

The for-profit foster care industry argues that abuse claims are nothing but isolated cases bad apples in an otherwise pristine crop. But in 2017, a [bipartisan congressional report](#) released by former Sen. Orrin Hatch (R-Utah) and Sen. Ron Wyden (D-Ore.) found that, by and large, children who are under the legal authority of their state, yet receive services from private for-profit agencies, have been abused, neglected and denied services. The very agencies charged with and paid to keep foster children safe too often failed to provide even the most basic protections, or to take the steps to prevent the occurrence of tragedies.

The reality is that the privatization of foster care services has been a disaster for our nation's children. Not only does a privatized system offer little transparency or oversight, but the entire model operates under perverse financial incentives. Foster care contractors benefit from a steady flow of children into the foster system, just as private prison contractors rely on the persistence of steady rates of crime and incarceration.

It's time for Congress to approach the for-profit foster care industry the same way President Biden approached the private prison industry. Our federal lawmakers must work together to draw down their financial support for private contracts in foster care, and instead support states in providing high standards of care for foster children with adequate public oversight.

Our children are our society's most precious gifts. They should not be treated as dollar signs on some private foster care company executives' spreadsheet. It's time to end the failed foster care privatization experiment.

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