

Arizona Daily Star

Darcy Olsen: Don't let vulnerable children linger in foster care

By Darcy Olsen Special to the Arizona Daily Star Mar 18, 2018

As a foster parent for seven years, I've cradled the opioid crisis in my arms.

With parents unwilling or unable to get clean, 50,000 newborns will enter state foster care systems this year. What happens next is Russian roulette.

Consider Mary, born in a Greyhound bus station bathroom. She tested positive for meth, heroin and alcohol. Nurses worked to save her as she suffered seizures and struggled to feed. She was declining on growth charts, losing her will to live.

When the withdrawals lessened, the government moved Mary to a foster family. Nursed every two hours and held constantly, she started gaining weight. Color flushed her cheeks.

Mary was fighting back.

In time, she grew into a boisterous little girl and was adopted by her foster family. I know her story intimately, because I am her mother. I wish all my stories had happy endings like hers.

Don't get me wrong: Mary struggles.

Meth permanently damages the brain architecture. She will spend her life compensating for her birth mother's drug abuse. But she has a family, and is deeply loved. In our game of Russian roulette, it was John who took the bullet.

John entered care in diapers. He was never returned to his family, or adopted into another. By last count, John had been moved 48 times. Today, he is preparing to "graduate" from state custody. How did this happen?

Some of the basic constitutional protections that we take for granted as Americans are not available to these children. Their futures depend on the luck of the draw, rather than the rule of law.

In America, the criminally accused have a constitutional right to a speedy and public disposition of their cases; John didn't.

In America, the criminally accused have the right to a court-appointed attorney; many children don't.

As the nonprofit charity First Star — which seeks to improve the lives of foster youth — reports, half of the states lack traditional legal representation for children in foster care proceedings.

"The legal protections afforded these children are weaker and less consistent than those given to common criminals, who are provided attorneys by every state. And they are decidedly weaker than those given to their abusers."

In America, possessing heroin or forcing others to ingest it is a crime. Although research shows using heroin and meth during pregnancy causes brain damage and lifelong impairments, it's rarely considered abuse and seldom prosecuted.

Arizona is advancing a reform that improves protections for these infants. The bipartisan effort — Senate Bill 1473 — would reduce time in state custody and speed children to safe families faster.

The goal is to make sure infants and young children are on track for a permanent home within one year. The first provision strengthens the search for relatives the minute an infant is placed in foster care. Loving relatives should always be the starting point.

A second element requires the government to move more expeditiously toward the termination of parental rights when a parent has a chronic history of extreme abuse including in utero drug abuse.

“BabyB was baby number 5, meth exposed,” a mom recently wrote to me. “Baby 4 died at birth due to birth defects from exposure. Parental rights to babies 3, 2 and 1 had all been severed. But it still took until BabyB’s third birthday for him to leave foster care.” In extreme cases like this, an infant like BabyB would have a home by his first birthday.

Criminal cases are routinely resolved in 180 days because fundamental liberty interests are at stake. Here, too, the liberty interests of parents and children are at stake. Just ask John who has been waiting 17 years for a family... and waits still.

Darcy Olsen is a foster mother to drug-exposed babies and founder of Generation Justice, www.GenJustice.org. Identifying characteristics have been changed to protect the identities of the children.