House Committee on County Affairs
Charge 5: Effects of Substance Abuse on DFPS Populations

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Department of Family and Protective Services
September 25, 2018
Response to Substance Abuse

• When DFPS receives an intake of abuse or neglect in a home, our greatest concerns are for immediate child safety. Investigators often find that abuse has occurred to the child due to exposure to substances or neglectful supervision of the child by an impaired caregiver.

• In many cases, the child may be removed from the home because they are considered to be at immediate risk of harm through drug exposure, lack of parenting, and a combination of environmental, mental, and physical conditions that lead to an unstable home environment.

• Exposing or providing a child with illegal substances is a criminal offense under the Texas Penal Code. While there is no law prohibiting a parent from exposing a child in utero to illegal substances, this may still lead to an investigation once a child is born.

• A joint investigation with law enforcement and DFPS is required by law on drug exposed children. Traditionally, law enforcement arrests parents and caregivers who have manufactured drugs in a home, especially where children are present.
Substance Abuse as a Factor in Removals

FY 16 FY 17 FY 18 YTD

All Removals | Removals with Substance Abuse Factor
---|---
FY 16 | 18,982 | 12,374
FY 17 | 19,760 | 13,464
FY 18 YTD | 16,863 | 11,366
Substance Abuse as a Factor in Removals

![Graph showing the number of removals with substance abuse as a factor from FY '07 to FY '18 YTD. The graph indicates a trend where removals with substance abuse as a factor have generally increased over the years, with peak years being FY '15 and FY '17, and the lowest year being FY '07. The graph also shows the total number of removals for comparison.]

- **All Removals**
- **Removals with Substance Abuse Factor**
Substance Abuse in Children

Substance Abuse in Children in Investigations or Alternative Response

FY 2016: 3,319
FY 2017: 3,058
FY 2018 YTD: 2,606

- Children with Substance Abuse Issues
- Children with Substance Abuse Issues and Mental Health Issues
Substance Abuse in Children

Substance Abuse in Children in Family-Based Safety Services

<table>
<thead>
<tr>
<th>Year</th>
<th>Children with Substance Abuse Issues</th>
<th>Children with Substance Abuse Issues and Mental Health Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2016</td>
<td>1,282</td>
<td>18</td>
</tr>
<tr>
<td>FY 2017</td>
<td>1,194</td>
<td>18</td>
</tr>
<tr>
<td>FY 2018 YTD</td>
<td>853</td>
<td>12</td>
</tr>
</tbody>
</table>
Substance Abuse in Children

Substance Abuse by Children in Conservatorship

- FY 2016: 2,683
- FY 2017: 2,589
- FY 2018 YTD: 2,462

Children with Substance Abuse Issues
Children with Substance Abuse Issues and Mental Health Issues
Substance Abuse in Caregivers

Caregiver Substance Abuse in Investigations or Alternative Response

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2016</td>
<td>25,295</td>
</tr>
<tr>
<td>FY 2017</td>
<td>33,977</td>
</tr>
<tr>
<td>FY 2018 YTD</td>
<td>29,674</td>
</tr>
</tbody>
</table>
Substance Abuse in Caregivers

Caregiver Substance Abuse in Family-Based Safety Services

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2016</td>
<td>10,189</td>
</tr>
<tr>
<td>FY 2017</td>
<td>13,442</td>
</tr>
<tr>
<td>FY 2018 YTD</td>
<td>9,926</td>
</tr>
</tbody>
</table>
Caregiver Substance Abuse in Conservatorship (Removals)

FY 2016: 12,424
FY 2017: 13,512
FY 2018 YTD: 11,473
Substance Abuse as a Factor in Fatalities

Substance abuse, mental health concerns, and domestic violence were common factors in confirmed child abuse and neglect fatalities:

- In FY 17, **52%** of fatalities caused by abuse or neglect involved a parent or caregiver actively using a substance and/or under the influence of one or more substances that affected their ability to care for the child.
- Almost **23%** of fatalities caused by abuse or neglect involved a parent or caregiver with reported or confirmed mental health concerns.
- A history of domestic violence was identified in **40%** of abuse/neglect fatalities, with **17%** of fatalities having active domestic violence.
## Child Abuse/Neglect Fatalities

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Child Population of Texas</strong></td>
<td>6,865,824</td>
<td>6,952,177</td>
<td>6,996,352</td>
<td>7,121,499</td>
<td>7,266,760</td>
<td>7,311,923</td>
<td>7,407,636</td>
<td>7,500,272</td>
</tr>
<tr>
<td><strong>Number of Intakes Assigned for Investigation or Alternative Response by CPS</strong></td>
<td>231,532</td>
<td>222,541</td>
<td>206,200</td>
<td>194,803</td>
<td>215,512</td>
<td>232,159</td>
<td>238,591</td>
<td>238,600</td>
</tr>
<tr>
<td><strong>Number of Investigated Child Fatalities</strong></td>
<td>1,024</td>
<td>973</td>
<td>882</td>
<td>804</td>
<td>797</td>
<td>739</td>
<td>796</td>
<td>807</td>
</tr>
<tr>
<td><strong>Number of Fatalities where Abuse/Neglect was Confirmed</strong></td>
<td>227</td>
<td>231</td>
<td>212</td>
<td>156</td>
<td>151</td>
<td>171</td>
<td>222</td>
<td>172</td>
</tr>
</tbody>
</table>
**FY 2017 Child Abuse/Neglect Fatalities**

<table>
<thead>
<tr>
<th>Substance Abuse Concern</th>
<th>Active*</th>
<th>Past History</th>
<th>Substance Abuse Concern</th>
<th>Active*</th>
<th>Past History</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>23</td>
<td>20</td>
<td>Methadone</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Marijuana</td>
<td>56</td>
<td>78</td>
<td>Opiates</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Cocaine</td>
<td>16</td>
<td>19</td>
<td>Synthetic Marijuana</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Methamphetamines</td>
<td>14</td>
<td>13</td>
<td>Other</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td>Phencyclidine (PCP)</td>
<td>1</td>
<td>1</td>
<td>Unknown</td>
<td>26</td>
<td>31</td>
</tr>
<tr>
<td>Heroin</td>
<td>1</td>
<td>2</td>
<td>No Known Use</td>
<td>56</td>
<td>50</td>
</tr>
</tbody>
</table>

*Active substance abuse concerns are indicated in cases where a parent has either tested positive for substances or self-reported abuse at the time of death of a child.
Family Treatment Drug Courts
Family Treatment Drug Courts

- Family Drug Courts provide a continuum of services for parents, children and families.
- These courts bring together a civil court to monitor compliance, service array for parents and children, and collaboration with county personnel, community providers and CPS.
- Eligible participants include parents who have been identified by CPS as exhibiting symptoms of substance use disorders that may impact child safety and wellbeing.
- Programs strive to help parents graduate so they can care for their children without further state intervention.
Travis County Family Drug Court

CPS Referral to Hotline – Parent is abusing substance(s) w/ a child age 0-5

- Family Team Meeting to present program to family
- District Attorney’s Office confirms Court Ordered Services (COS) are appropriate
- Lawsuit filed for COS
- District Court assigns Parent Attorney and Attorney for child(ren)
- Parent enters 90 days inpatient substance abuse (SA) treatment w/ child(ren)
- Weekly Civil Drug Court hearings
- Civil Drug Court w/ 4 Phases:
  - Therapeutic responses to behavior
  - Monitoring & Accountability
  - Frequent Judicial Contact
  - Random Drug Testing
  
Services:
- SA Treatment
- Peer Recovery Coaching
- Case Management
- Child(ren)’s assessment/services
- Parenting/Training
- Trauma Therapy
- Recovery Housing
- Educ/Employ Services

Graduation 12-18 months
Travis County Family Drug Court Participant Demographics

- 54% of participants have a High School Diploma/GED
- 70% of participants report a history of homelessness
- 84% of participants report a history of trauma
- 84% of participants have a mental health diagnosis in addition to Substance Use Disorder
- 86% of participants have a criminal history
- 70% of participants have prior CPS Involvement as adults
- 30% of participants report CPS Involvement as a child
- 22% of participants have had parental rights terminated to child(ren) not part of the current lawsuit
Travis County Family Drug Court

**Long-term Outcomes for Participants**

- 89% of participants exhibited *no* reoccurrence of child maltreatment within the following fiscal year
- 92% of participants had *no* new CPS lawsuit within 12 months
- 65% of program graduates report that they continue to work an active recovery program within 6-12 months of graduation
- 71% of program graduates report stable employment within 6-12 months of graduation
- 71% of program graduates report permanent housing within 6-12 months of graduation
- 82% of program graduates report that they are the primary caregiver of their child(ren) within 6-12 months of graduation
The Bexar County Program consists of five phases of treatment, with clearly defined goals, incentives for progress and sanctions (when necessary).

During its 15 years of operation, Bexar County Family Drug Court has seen that most participants are underemployed and undereducated individuals, who have also likely experienced domestic violence, housing instability, trauma, and/or mental health issues.

Bexar County has been able to prioritize this program for pregnant mothers, to reduce the number of babies born addicted to substances.

Bexar County’s program also has a rapid reunification rate of six months.
Solutions & Alternatives

• County-led initiatives like Bexar and Travis Counties and other specialty courts to sustain families through innovative treatment and judicial solutions

• Improved collaboration between agencies that serve similar populations

• Education of Judiciary and stakeholders on the challenges of substance abuse and use

• Enhanced services and after-care to support parent’s sobriety when children are returned home