



## **70 Million S1 E5 Transcript: One State Is Disrupting the Pipeline from Foster Care to Jail**

By age 17, over half of young people in foster care have already been convicted of a crime or spent a night in jail. After they age out, a quarter will go to jail or get in trouble with the law within the first two years. California is determined to keep foster youth out of jail. Reporter Liza Veale profiles two young people who are making their way out of the system, and talks with policy makers and social service workers trying to redirect the foster-care-to-prison pipeline.

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**Mitzi:** Hey, 70 Million listeners, we want to learn more about you. We'd love it if you could take a few minutes to fill out our listener survey. We want to know how you listen to 70 Million, what you love and what we could work on. You can find the survey at [70millionpod.com/survey](http://70millionpod.com/survey). I took it and was done in about 5 minutes. Just go to [70millionpod.com/survey](http://70millionpod.com/survey). And thanks in advance for helping us out.

*Musical interlude.*

70 million adults in the United States have a criminal record. I'm Mitzi Miller and this is 70 Million -- an open-source podcast about people, and communities, taking on the broken criminal justice system. This season, we'll chronicle how local jails compound the problem, and what residents are doing about it.

**Montage:** "Here I am with the judges and attorneys and, you know, police officers..."

"You can have the most beautiful resume and they're still going to label you as a felon."

"I wanted to be able to, to dig in, roll up my sleeves and figure out what could be done about this issue."

"You're not letting us be human, like, you're not letting us just be regular girls."

"For 20 years all I heard was shut up inmate. And now all of a sudden I have a voice."

**Mitzi:** Today, we're going to look at a population that's especially susceptible to winding up behind bars -- foster youth.

By age 17, [over half of young people](#) in foster care have already been convicted of a crime or spent a night in jail. Within the first two years of aging out of the system, [a quarter](#) of former foster youth will go to jail or get in trouble with the law. California hopes to divert these young people away from jail -- not in the *courtroom*, or at the moment of arrest, but much earlier.

From the San Francisco Bay Area, Reporter Liza Veale has our story. And just a note to listeners, this episode contains mature language.

*Musical interlude.*

Liza: Aminah Gipson is 21. She's got a sweet gap-toothed smile. The first time I met her at her youth advocate's office, she was dressed up really nice — heels and a dress, perfect makeup.

Liza: So we'll try to make it as quick as possible.

Aminah: But I have work today, so.

Liza: Yeah, ok.

Aminah: I wish I didn't. I would love not to go to work, I'd love to go to the mall and just go shop.

Liza: She took one look at my mom jeans and boots and messy bun and she lied straight to my face. 'Oh I like your style,' she said, so humble. I liked her immediately. Aminah says that as easily as she can draw people to her, she can push them away -- hard.

Aminah: I have a really bad attitude and I know I do. In situations like I just get very nasty towards people. It's like an uncontrollable temper and it's from a lot of anger that I just haven't let out.

Liza: She says she's still dealing with her childhood, her kid-emotions. Aminah never really had her own bed, one she could take for granted for any stretch of nights. Not since her grandmother, her guardian, died when she was 8. That's how old she was when she started making the rounds, crashing with whoever.

Aminah: Then I went to my uncle's ex wife, then I went to my uncle, and then I went to my great grandma on my dad's side, and then from there...

Liza: Her relatives were tied up looking after her seven younger siblings. So she scrounged up money, and rode the local 'BART' trains from one side of Oakland to the other, making herself welcome with friends of friends. But nothing lasted and eventually, at 11, she wound up in a group home with five other foster kids.

Aminah: I would purposely stay in my room. I don't want to do group time with y'all. Y'all not my family.

Liza: Group homes are run by licensed, full-time caregivers. Some are highly regimented and strict, others operate more like family homes. The 5,000 kids in group care in California got there because Child Protective Services, or CPS, took them in but couldn't find a relative or adoptive family to place them with. Kids are taken because their parents pass away or get incarcerated or have a substance dependency or are abusive. Parents can also be deemed neglectful, though that can be a subjective charge; maybe they left their kid at home alone because they couldn't afford childcare but couldn't afford to turn down a shift at work either.

When Aminah went to a home, she felt like it was over, like her fate was sealed. She didn't see how she could make a whole life out of the broken pieces.

Aminah: You walk around the grocery store when we go grocery shopping with the group home, we sit in the car when we drive around and we see every other kid our age living regular. And we're, like, in this weird looking van looking weird because we're, we look awkward.

Liza: Other students knew her as a foster kid. That anxiety so many young people feel about not being normal—it was Aminah's whole world. She says it was her clothes more than anything else that gave her away. So when she got to high school, she wanted to change that.

Aminah: I didn't really have money and stuff like that and I just wanted to feel popular like with the other girls, like I didn't have, like, the clothes they had, so I felt like hella out of place. So, like, I had to steal and like, do certain things I didn't wanna do like steal just so I could feel, like, normal in school.

Liza: Sometimes I forget Aminah is just 21 because she's wise about a lot of things that most young people just don't have to be. But other times, like right now, I can easily picture her as that eight year old still trying to convince people to take her in.

A little while later I ask for more details about what she stole and she's back to seeming invulnerable. She says she went to a school with a lot of rich kids and took stuff from the locker room.

Liza: Did it feel like more exciting to steal from those kids that you went to school with than from a store?

Aminah: Honestly, yeah. Because they're not grateful. Because if they were, they would have made sure they were on time to their PE class to lock up all of their things. We're from the hood. We have to fight for what the fuck we wanted.

Liza: The students and then the school figured out what Aminah did and she got a felony that was dropped down to two misdemeanors. That meant instead of going to juvenile hall, she was put on probation and placed in a different *kind* of group home...a restrictive place, more like jail with a school on campus and very few chances to leave.

Aminah: It was so many rules. Like, you have to ask for a pass to go to your room, you have to ask to take a shower. Like, how do you learn how to cook if you weren't able to cook in the kitchen because we don't know if you're going to cut somebody or burn somebody? Like, you're not letting us be human, like you're not letting us just be regular girls.

Liza: Before she turned 18, Aminah had spent time in 17 group homes. She was already in the foster care system when she got on probation and transferred homes that first time. But a lot of probation youth get into group homes without ever having contact with CPS. They might have capable parents, but they pick up a criminal charge and the judge decides to place them in a home rather than juvenile hall. [That's about a third of all placements](#); they come in through the criminal justice system and mix with the foster-care placements. The two systems are intertwined, and they're intertwined in the lives of the young people they touch.

Will: I mean when I got there there was like, I was the youngest one there. Not to mention the only one there on CPS case.

Liza: This is Will Clark. Like Aminah, he was 11 when he first went into a group home.

Will: Everyone else was on gang terms from the juvenile hall, you know what I mean?

Liza: Will's got a big squinty smile and long, neat dreads. He's eighteen now, but he remembers the group home, an hour north of where he grew up in San Francisco, vividly.

Will: Oh, that was like fights all the time. It was crazy. It was crazy, cuz like, it was always like some kind of gang violence or something like that.

Liza: Will says it almost didn't matter that he wasn't a probation placement. The group home felt like a punishment to him. It does for a lot of kids. And even if they haven't gotten into the system by committing a crime, simply staying in a group home [makes foster kids 2.5 times more likely than kids placed in a family](#) to eventually get into trouble, pick up a charge, and come back through the probation system.

Will: So I kind of fell into the gang activity rather quickly because I was like 11 years old around these 18 year old kids

Liza: Will began to see a certain life stretching out in front of him. The way public health child psychologists describe it is kids in group homes don't have the chance to form healthy attachments to adults. So, they'll attach to their peer group — intensely, no matter what it takes.

Will: I do believe it's easy to manipulate a young mind. You know, seeing that lifestyle every day. And then, you know, that whole thing of protection and all that.

Liza: Those older kids told Will, 'listen, if you want to run away from the home, the gang can put you up, take care of you. But first, you have to join.'

Will: All you have to really do to be initiated was to shoot someone, you know what I mean. And so they said, you know, if you do that, you can, um, it's called AWOL, you know, you just leave and don't come back. They call it an awol, but they were like, once you do that you can just awol and live with some, one of the friends and basically be on the run.

Liza: They told him he'd be in someone else's car, they'd point out the target, he'd use their gun, and then give it back to them. He'd never used a gun before. He was 13 years old.

Will: He said that I wouldn't have to worry about anything, but I was still kind of scared.

Liza: That afternoon one of his roommates tried to talk him out of it. He said the gang wouldn't protect him; they'd only use him for dirty work. And Will's thinking, 'I know I'm not cut out for this stuff.'

Will: I mean definitely not. I mean, like, I'm not even going to lie, like, I don't like fighting. I will if I have to, but I don't like the feeling of it.

Liza: Will never got used to violence even though he says growing up, his house was full of it. His parents both struggle with addiction.

Will: Like my dad would come in fucked up at like 1:00 in the morning and they'd kind of start escalating until like 2:30. And by that time they're fully fighting, police are about to come and my mom is like, she's all drunk. She's like, oh, 'well you got to leave so that they don't take you again.'

Liza: Before the group home and the night he had to decide if he would join a gang, Will lived with his grandparents for a few years. But he said his grandma was actually the reason he was sent to the home. When he was 11 years old he got into

some stuff that disturbed her. It wasn't drugs or gangs—it was a spiritual exploration.

Will: Yeah, let's just go by, um, Haitian Christianity or something like that, yeah.

Liza: He was secretly reading up on voodoo and western occultism and persian sorcery. He'd been raised Catholic—spirituality was always part of his life. But he says all his grandma saw was something like black magic. Something to do with the devil.

Will: So I had to sneak my books and hide them and things like that. But one day I came back from school and my grandma had found everything and had it on my bed and she was like, 'either you're going to stop doing all this, or you gonna leave.' That's when I got sent to the group home.

Liza: Two years later, on the cusp of joining a gang, he came to see his spiritual practice as a possible way out -- one more shot at a safe, regular life.

Will: Yeah, cuz I said in my head, 'if this works, I'm going to give up the whole gang stuff and I'm going to fully devote my life to um, you know, this practice.'

Liza: Maybe it was a coincidence but a couple of weeks later, his social worker told him he could go back to live with his mother. She was ready to take care of him. It wouldn't last. He'd be back in the group home soon enough. But, it was a sign that told him not to give up on himself.

It can feel inevitable that young people who are separated from their families will act out. But not all of them do. The worst outcomes follow spending time in group homes -- or shelters, which are often the first place kids are taken before they get a longer-term placement.

Shelter staff may be unprepared to deal with trauma, and the behaviors that can result from it. They regularly resort to calling the police when things get out of hand. Maybe a kid gets upset because a family visit was canceled, or a social worker just told them they're going to be placed out of state. That kid gets angry, punches a wall, and then gets charged with vandalism or disturbing the peace.

So that's a very literal pipeline from child welfare to the criminal justice system. But shelter arrests are one small part of the problem. Foster kids act out, pick up charges, and go to jail all kinds of ways. And most often, they get in trouble out on the street. They're not in their placements --- because they've run away from them.

*Musical interlude.*

Liza: Aminah Gipson ran away countless times. She knew it would be years before she could live independently and support herself legally. So, like a lot of girls in the system, she saw sex work as the only way out.

Aminah: Just like hitting licks. It's just easier being on the streets. The street money is fast money.

Liza: When did you start doing that?

Aminah: When I was twelve.

Liza: In some counties in California, [over 60% of women](#) in the sex trade have been in the foster care system. It's one of the ways AWOL foster youth find their way to jail. For Aminah, having her own money gave her a thrill. Sex work also provided something that was missing from the rest of her life: a sense of control. And she wanted to share that with the other girls.

Aminah: And I would like um, like get girls out of the group home that wanted to run away, like if they wanted to do it.

Liza: And a lot of them did. Because it meant they could leave. Aminah seems haunted by all the kids she saw lose their spirit living at the homes.

Aminah: I lived with this one girl named Shaniquia. Her hair was falling out because she was stressed out. She didn't--she was depressed. She was miserable.

Liza: Aminah says some of the other girls didn't even have any family to spend time with. They never left the home for day visits, not even on holidays.

Aminah: I used to ask, like, 'can we get them approved to come to my house for Thanksgiving?' I would leave on home passes to see my family and I would like leave knowing, like, some of the girls there literally don't have nobody to go home to.

*Musical interlude.*

Liza: California has been trying to address the problems in its foster care system for years now. And the momentum has mounted into something radical. Which brings us to the historic shift California is in the midst of right now. In 2017, the state began rolling out a new initiative called Continuum of Care, or CCR.

By 2020, group homes will either convert to temporary-stay psychiatric care facilities, or shut down completely. Now, money the state would have spent on group care is going towards recruiting more family placements. Reporter Karen De Sa has been covering California's foster care system for almost 15 years.

Karen: I think that what the state of California is trying to acknowledge is all kids need a family and a home and relatives.

Liza: She's talking about love. That word can mean a lot of things to different people but for Karen de Sa, it's the main thing these facilities can't replicate.

Karen: It may not be mom and dad and a cat and a dog, but it has to be a family. It has to be home life. It has to be someone who loves you, who knows you, and who cares about you.

Liza: None of that is possible when you're one in a group of kids in a high turnover facility run by three shifts of staff.

Karen: There may be really nice people who, you know, bake brownies with you or, or watch a movie with you. But the bottom line is even if you get comfortable with someone who puts you to bed, they're not there necessarily in the morning.

Liza: So now, social workers are recruiting people who are already in the kids' lives to take them in--they call them resource families.

*Background in Will's house: Dad's going to watch the news...hello, hello, hello, hi, nice seeing you again.*

Liza: A little over a year ago, Will Clark moved in with a resource family. His girlfriend's parents took him into their home after she went to college. The house is a three-story freshly painted Victorian on Bernal Hill in San Francisco. It's about five miles and several socioeconomic brackets away from the neighborhood he grew up in. I could tell immediately that his resource parent, Amy Huson, has one of those homes that's just welcoming.

Amy: Partially, we're just very social people, but also we kind of have a house rule that you have to introduce your friends. You can't all run upstairs and hide in your bedroom.

Liza: The Huson's have hosted exchange students, there was a British guy that lived with them for a while, they're inviting people.

Amy: Yeah, it's just the way we run the house.

Liza: Will was among the kids that were always in and out. Amy didn't know much about him. But her daughter told her that he was bouncing around with friends, semi-homeless and really, really didn't want to live with his parents.

Amy: Here was this young man sitting on the very couch that we're sitting right now and I could not have it on my shoulders and conscience the rest of my life that I'd had another homeless youth in San Francisco.

Liza: Amy and her husband understood that if Will was in the foster care program—meaning in a group home or living with a resource family—when he turned eighteen then he was eligible for extended foster care. That means housing until age 25, health insurance, employment support and money for college.

Extended foster care is about six years old in California. It recognizes that kids in the system, like all 18 year olds, need help with the transition to adulthood.

[Because about a quarter of former foster youth were winding up homeless at some point. And they also tend to stay homeless. Among the chronically homeless adults in this country, half are former foster youth.](#)

By housing Will for two years, Amy would be seeing him through a finish line that would set him up with a much bigger chance of success. So she began the application process.

Amy: I joked that after being a parent for 20 years, we went to parenting school.

Liza: To become a resource family, there's psychosocial evaluations and classes. Most potential resource parents come from the same communities as the kids that need homes. Amy says even though the people in her classes came from different backgrounds, they all shared something in common.

Amy: In the sense that you had those welcoming households, that's the kind of person who is willing to step up and do this because they've already been doing it.

*Musical interlude.*

Liza: Will has been living with the Huson's for over a year now.

Do you guys say I love you?

Amy: I do, because I can honestly say I do. And that's the difference in the year. That's the difference in the year. I think a year ago had I said it, it would have been disingenuous. And I think I was still in good deed doing mode and now I can definitely say, you know, absolutely. You know, it's, yeah, I love the kid.

Liza: Amy doesn't try to be Will's mother or his therapist. They share meals but mostly she just tries to give him privacy.

Will: So um, this is um, well it's basically my, my bedroom.

Liza: He's got a nice big bed. And plenty of space for his spiritual practice.

Will: Here to the, in front of us we have um, the shrine for ... ogu represents, um, overcoming obstacles in every sense of the word.

Liza: Will graduated high school this year, something he did not see happening a year ago, and now he's making plans for college. Across his room, there's a sliding glass door.

Oh my God. And you have a very nice deck.

Will: Thank you. Yeah.

Liza: This is probably one of the best parts.

Will: It is a blessing, you know, the whole house in general and everything. The whole situation I'd say.

Liza: From up here, he can see the whole city.

But not all new resource family recruitments have gone as easily as the Huson's. They're a two-income family and they had an empty bedroom. It wasn't a financial burden to take Will in. For other new resource families it's much harder.

Before CCR reforms, when family and friends took in kids, they didn't get paid the way licensed and trained foster parents did. Now, they're eligible for that help. And a lot more people are able to step up. But first they have to go through training. Regardless of when the kid moves in, the money doesn't come until after the training and approval. It's a process that can take many months, sometimes over a year. For low-income families, that's not a gap that's easily covered.

Recording: *Love alone is not gonna do it. We need for you to...*

Liza: This is a recording from a group of resource family caregivers testifying before the California state legislature, about a year after CCR started being implemented.

Recording: *I have not received funds and it's hard because these kids need therapy. They see certain cars and they duck.*

Liza: While they wait for funding, resource families might go into credit card debt, lose their housing, end up burning bridges. And the kids know the strain they're causing.

- Recording: *My grandchild has been unapproved for almost a year now. It has caused a high impact on family, heartaches, stress, painful for my whole family.*
- Blalock: If we don't get a fix to this problem then Continuum of Care reform is not going to work.
- Liza: Brian Blalock is a policy researcher for an organization that fights poverty in the Bay Area called Tipping Point. Before that, he was a lawyer representing youth in juvenile court. He's watching to make sure closing down group homes doesn't create more problems than it solves. Blalock sees CCR in a larger context. California has been shrinking its foster care system over the last ten years in response to seeing such bad outcomes for people in the system, like the high rates of [former foster youth in prison](#). The thinking was maybe families are better off left alone. But Blalock is not convinced that shrinking caseloads are something to congratulate ourselves for.
- Blalock: The caseload has dropped quite a lot in the last five to 10 years. But if you de-aggregate that based upon race, you get a really interesting story because the number of white kids stay about the same and the number of Latino or Hispanic kids stay about the same and the number of African-American kids just drops like it's dropping off the side of a cliff.
- Liza: Social workers were trying to correct for what they saw as an overrepresentation of black kids in the system. Blalock agrees that taking a kid away from their family is not always the best choice. Sometimes all a family needs is some financial support. But there are also cases of real abuse or neglect, where foster care can be the right solution. Correcting that overrepresentation?
- Blalock: That's a noble thing to try to do, but we have to be so careful how we do it because we don't want end up closing the door to a needed resource just because of the color of someone's skin in either direction. And we can't have this one idea of foster care is bad, foster care's good. Like, high caseloads are bad, low caseloads are good.
- Liza: The way he sees it, if social services don't get to some of these kids early, the criminal justice system will later. When Blalock was an attorney, he saw that behind a lot of kids' criminal charges there's a story of parental abuse or neglect. Right now, judges can go easy on some of them and send them to group homes instead of juvy. But those homes are disappearing. Over 300 have closed since CCR got underway last year. Which means...
- Blalock: There's less of an opportunity for some youth to be diverted to a less restrictive setting and then they end up in a worse setting in a locked facility.

*Musical interlude.*

Liza: The next time I see Aminah she's lost her housing because of an altercation involving her neighbors, her boyfriend and the police. Charges weren't pressed but she lost her placement in her extended foster care program and had to move in with her boyfriend.

Aminah: My boyfriend and I, right now, we're just kind of on a really bad path right now. I was kind of accepting that eventually I was going to have to let him go and move on, and like having my own home kinda helped that. So now it's kind of like, fuck.

Liza: It sets back the work Aminah's been doing to live a life that's independent, and disentangled from the criminal justice system.

Aminah: It's stressful just going back to the streets, like doing things easier. Like this is harder and you got to do things the right way and it's kind of hard when you're doing it, and you're your own self-motivation.

Liza: But the main thing on Aminah's mind right now is not her own housing. It's figuring out where her sister is.

Aminah: The stress that I have now is nothing compared to the stress that I have when my brother texted me last night and told me that they took my sister back into foster care and she's separated now into some foster home and I don't know where she's at, he don't know where she at, we can't get in touch with her social worker.

Liza: As soon as she can, Aminah is determined to have her siblings come live with her. Her probation record has kept her from getting some jobs, but she recently started working at Old Navy. And she's enrolled in culinary school. She'll get to make up for not being allowed to cook in the group homes. Eventually she wants a place big enough for her brothers and sisters.

Aminah: Like if I can just have them here now, right now. And, uh, I wouldn't even care if I had to sleep on the floor with no pillow or cover. I just want to be able to hear them be loud and run around the house and get on my nerves and be playful with me and get my business. Like I just want that. I want all the problems that they come with.

Liza: Aminah didn't get to have her own resource family. But she could be one for her siblings. In Oakland, I'm Liza Veale For 70 Million.

*Musical interlude.*

Mitzi: Thanks for listening. Now we want to hear from you. Have you, a friend or a loved one experienced the impact of jails? Are you active in local reform? Can we help you recognize someone in your community who's been an agent of change? Email

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