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FLDS kids may overload Texas' troubled foster care

By Julia Lyon
and Brooke Adams
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Texas' already beleaguered foster care system faces a daunting challenge in handling the influx of up to 419 children seized from the polygamous FLDS community's isolated Eldorado ranch, social service advocates say.

The children's arrival will overwhelm an already burdened system, charges Richard Wexler, the executive director of National Coalition for Child Protection Reform, which monitors child welfare systems nationwide.

"Texas is particularly unprepared to cope with something like this," he said. "Texas happens to be in the middle of a huge foster care panic."

On Tuesday, Texas officials moved about 170 FLDS children from overcrowded Fort Concho into a nearby event center. Child placement agencies across the state were preparing to place the children into foster care.

All told, the Texas Child Protective Services said it had removed a total of 419 children, accompanied by 139 mothers, from the ranch owned by the Fundamentalist Church of Jesus Christ of Latter Day Saints. Most are staying at the historic fort, and others are now at the Wells Fargo Pavilion, both in San Angelo, Texas.

Agencies have been alerted that only girls are in need of foster care, which puzzled Irene Clements, the president of the Texas Foster Family Association.

"That's kind of the question we all have," she said. "These young girls have babies - some of them are going to be boys."

The Texas Legislature reformed the state's foster care system after a series of highly publicized abuses in 2004. Still, serious problems remain, according to a September 2007 report prepared for Texas Appleseed, a nonprofit public interest group that researches social service issues.

CPS is ill-prepared to deal with all of the children in its care, the report found. "The statistics are shocking," the report stated. "Since January 2007, nearly 500 children have spent at least one night in a state office building" due to the shortage of foster families.

Inadequate funding and growing caseloads mean "the children in Texas' foster care system will suffer," the report concluded.

Clements acknowledged: "We're already having somewhat of a capacity crisis in the state."

In fiscal year 2007, Texas provided foster care or other living arrangements to about 33,000 children. But in Tom Green County, where San Angelo is located, only 286 children were provided foster care.

Even the Houston/Dallas area, which has the most resources available, ends up sending children to other counties for care, said Johana Scot, director of the Parent Guidance Center in Austin. The center assists parents whose children have been removed.

"San Angelo doesn't have the capacity for [this]," Scot said. "If they do end up going into foster care, they'll be all over Texas. It will be a mess."

Because San Angelo is isolated in west Texas, fewer resources are immediately available - such as lawyers, judges and mental health professionals, said Scott McCown, executive director of the Center for Public Policy Priorities, an Austin-based think tank.

The challenge reminds him of the state's work marshalling resources for Hurricane Katrina evacuees, he said. CPS, in fact, has enacted a "disaster plan, so to speak," said spokeswoman Marleigh Meisner. She said a work force of 700 people from across the state is being deployed.

Texas law says the state has up to 14 days after an emergency removal to hold a hearing. Indigent parents are appointed an attorney. A legal representative will also be appointed for each child.

A child can remain in foster care in Texas for up to a year, with a one-time six-month extension, at which point the state's options include terminating parental rights.

Prior to the 14th day hearing, CPS doesn't "have to tell anyone anything," Scot said.

In an affidavit released Tuesday, CPS officials alleged the sect has a widespread practice of expecting young teenage girls to bear children with older men. CPS believes every child on the ranch who had not been abused was at risk of abuse, Meisner said.

But Wexler questioned the state's treatment of the women and children. "By virtue of what has happened to them, these people are victims, not perpetrators," Wexler said. "They should not be treated like detainees at Guantanamo."

The state has alerted placement organizations that there is a potential need for families for several hundred girls, said Clements, who also works for Lutheran Social Services of the South, the largest child placement agency in Texas.

Her agency has contacted families to gauge their interest and availability, and reaction has been mixed, she said. Some families have wondered how the children will fit into a normal family after being sheltered in such a different environment.

Scot said Texas law urges placements with relatives, if possible. "It is bad enough for regular kids they take, but that would be totally detrimental to these children to remove them from their mothers," she said.

Back at Fort Concho on Tuesday, reporters called out to boys walking on the grassy parade field, asking if they were being treated well. One youth shook his head, indicating no.

But as reporters moved closer to the fence, a CPS worker called the boys back and appeared to scold an older boy.

Officers then approached the media and told them to move across the street.

jlyon@sltrib.com,

brooke@sltrib.com

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