



policy matters

california senate

OFFICE OF RESEARCH

STATE SURVEY OF CALIFORNIA PRISONERS

What Percentage of the State's Polled Prison Inmates Were Once Foster Care Children?

A significant percentage of the nation's foster care youth have been accused of crimes or have had contact with law enforcement within the first few years after they turned 18 years old (the age at which most children "age out" of foster care¹ and some become homeless), according to recent studies. A University of Chicago study found that one-third of the former foster care children who were tracked in three Midwest states suffered a "high level" of involvement with the criminal justice system.² Such findings have prompted California policymakers and researchers to ask the question that initiated this report: How many inmates in California's adult prisons were once foster care children?

A state survey of California inmates conducted for the first time by the California Department of Corrections and Rehabilitation (CDCR) in collaboration with the California Senate Office of Research (SOR) offers significant findings: Of the 2,564 adult California prisoners surveyed by



Tracking California's Prison Inmates With a Foster Care History

A unique state survey of California inmates, conducted by the California Department of Corrections and Rehabilitation and the California Senate Office of Research, shows that of the adult inmates who were polled, 14 percent had at one time been in foster care and half of this percentage had lived in foster-care group homes.

CDCR in June 2008, 356 of the respondents — 14 percent of the inmates — said they had been in foster care at some point in their lives.³

This SOR/CDCR survey is unique; in the majority of studies conducted on this subject, surveyors asked foster care children who had recently left their foster care arrangement if they had ever been incarcerated, whereas in this survey, California prison inmates who were about to be paroled were asked if they had ever been in foster care.

When this survey was conducted in the summer of 2008, there were approximately 171,000 inmates incarcerated in California's prison system;⁴ only those inmates who were being paroled for the first time from prison within the next eight months and who completed the survey and reported a foster care history were tabulated in the following survey results. (For more information on how the SOR/CDCR survey was conducted, please see the Survey Methodology section on page 11.)

What Is Foster Care?

More than 61,000 children live in foster care in California.⁵ The child welfare system's primary goal is to protect children from abuse and neglect. If abuse or neglect is discovered, a child may be left in his or her parent's care while the child's safety is monitored by social service agencies, and services (such as counseling) are provided to the family to address issues of concern. If a child's safety is deemed to be at risk, the child is removed from his or her home and placed in foster care.

Once abuse or neglect issues have been resolved, the foster care system tries to return a child to his or her original home as quickly as possible. If that is not a viable option, a permanent alternative home is sought, such as placing the child with a relative, a foster family, or in a children's group home. Children who remain in foster care receive financial support from the federal, state, and county government until they "age out" — that is, turn 18 years old (or up to 19 years old if they are still finishing high school).

In 2012, state legislation⁶ goes into effect that will allow foster children to remain in foster care until age 21, and will allow former foster youth under age 21 to have their foster care status reinstated until they turn 21. Foster youth who qualify will be eligible for ongoing financial support (particularly for housing) and assistance obtaining an education and employment until they turn 21 years old.

— S.M.

TABLE 1
Type of Foster Care Placement

Foster children may be placed in a variety of living arrangements. Of the surveyed inmates who had been in foster care, 52 percent of the males and 45 percent of the females said they had resided in group homes. Thirty-one percent of the male inmates and 35 percent of the females lived with a foster family. Nearly twice the percentage of females (20 percent) spent their foster-care time with relatives, compared to the males (11 percent).⁷

Type of Foster Care Placement	MALE	FEMALE	TOTAL
Relative	11% (35)	20% (8)	12% (43)
Family Friend	2% (6)	0	2% (6)
Foster Family	31% (98)	35% (14)	31% (112)
Group Home	52% (163)	45% (18)	51% (181)
Question Not Answered	4% (14)	0	4% (14)
TOTAL	100% (316)	100% (40)	100% (356)

TABLE 2
Total Time in Foster Care

Approximately three-fourths of the male (74 percent) and female (75 percent) inmates surveyed had been in foster care for one year or longer. Thirty-three percent of the males and 40 percent of the females reported being in foster care for more than five years.⁸

Total Time in Foster Care	MALE	FEMALE	TOTAL
Less Than 1 Year	25% (78)	25% (10)	25% (88)
1 to 5 Years	41% (130)	35% (14)	40% (144)
More Than 5 Years	33% (103)	40% (16)	33% (119)
Question Not Answered	2% (5)	0	1% (5)
TOTAL	100% (316)	100% (40)	100% (356)

Percentages may not add to 100 percent due to rounding.

TABLE 3

Age When Inmate Last Left Foster Care

Some inmates were placed in foster care arrangements more than once in their childhood, and when they last left foster care they were primarily preteens and teenagers: 70 percent of the surveyed inmates were between the ages of 13 and 19 when they left foster care. A combined total of 8 percent of the male and female inmates left foster care for the last time at 6 years of age or younger, and 19 percent left between the ages of 7 and 12 years. In contrast, half of the male and female inmates left foster care between ages 13 and 17, and 20 percent were in foster care until they aged out, typically at age 18.

Age When Inmate Last Left Foster Care	MALE	FEMALE	TOTAL
6 Years or Younger	8% (25)	10% (4)	8% (29)
7 to 12 Years	20% (62)	13% (5)	19% (67)
13 to 17 Years	48% (153)	63% (25)	50% (178)
18 to 19 Years	21% (65)	15% (6)	20% (71)
Question Not Answered	2% (5)	0	1% (5)
Insufficient Information	2% (6)	0	2% (6)
TOTAL	100% (316)	100% (40)	100% (356)

Percentages may not add to 100 percent due to rounding.

TABLE 4

Amount of Time Between Leaving Foster Care and Being Sentenced to Prison

More than half of the male and female inmates surveyed had entered prison⁹ more than five years after leaving foster care; 19 percent said they were sent to prison less than two years after leaving foster care.

Amount of Time Between Leaving Foster Care and Being Sentenced to Prison	MALE	FEMALE	TOTAL
Less Than 2 Years	19% (61)	15% (6)	19% (67)
2 to 5 Years	22% (68)	20% (8)	21% (76)
More Than 5 Years	55% (173)	63% (25)	56% (198)
Question Not Answered	2% (5)	0	1% (5)
Insufficient Information	3% (9)	3% (1)	3% (10)
TOTAL	100% (316)	100% (40)	100% (356)

Percentages may not add to 100 percent due to rounding.

TABLE 5

Reasons for Leaving Foster Care

When the male and female inmates ultimately left their foster care arrangements, nearly half (a combined total of 47 percent) went to a permanent home: a parent's or relative's home, the home of a family friend, or with an adoptive family. Of the other half of the surveyed inmates, 21 percent aged out of foster care when they turned 18 (or 19 in some cases), 13 percent ran away from their foster care arrangement, and 9 percent left foster care because they were placed in a juvenile justice program or a similar correctional program.

Reasons for Leaving Foster Care	MALE	FEMALE	TOTAL
Reached the Foster-Care Age Limit of 18 Years⁺	22% (68)	20% (8)	21% (76)
Ran Away From Foster Care Placement	11% (35)	33% (13)	13% (48)
Reunified With Family Before Reaching Age 18	30% (95)	35% (14)	31% (109)
Left Foster Care to Live With a Relative or Family Friend	10% (32)	3% (1)	9% (33)
Adopted	7% (23)	3% (1)	7% (24)
Placed in a Juvenile Justice Program, Camp, or Other Correctional Program	9% (30)	5% (2)	9% (32)
Other	8% (24)	3% (1)	7% (25)
Question Not Answered	2% (5)	0	1% (5)
Insufficient Information	1% (4)	0	1% (4)
TOTAL	100% (316)	100% (40)	100% (356)

Percentages may not add to 100 percent due to rounding.

+ Under current California law, financial support for foster care children ends at age 18, unless the child continues to attend high school or is working toward an equivalent certificate and is likely to complete school by age 19. Beginning in 2012, the age at which foster care status terminates will increase gradually to 21 years (see "What Is Foster Care?" on page 2).

TABLE 6
**Housing Arrangements of Foster Youth
 Who Aged Out or Ran Away**

Of the male and female inmates surveyed who had either aged out of foster care or run away from their foster care arrangement, 38 percent had housing plans that lasted for more than one year, 26 percent were “essentially homeless,”¹⁰ and 25 percent had housing plans for less than one year.

When You Left Foster Care, What Type of Housing Arrangement Did You Have?+	MALE	FEMALE	TOTAL
Essentially Homeless With No Plan for Housing	25% (26)	29% (6)	26% (32)
Had a Place to Stay for Several Months Up to 1 Year	27% (28)	14% (3)	25% (31)
Had a Place to Stay for 1 Year or More	35% (36)	52% (11)	38% (47)
Other	12% (12)	5% (1)	10% (13)
Insufficient Information	1% (1)	0	1% (1)
TOTAL	100% (103)	100% (21)	100% (124)

+ Only inmates who had aged out or run away from their foster care arrangement were asked this survey question.

TABLE 7
Homelessness in the First Year After Leaving Foster Care

Of the surveyed inmates who had either aged out or run away from their foster care arrangement, slightly more than one-third (36 percent) of the male and female inmates had been homeless at some point during the first year on their own. A higher percentage of females (43 percent) compared to males (35 percent) reported being without a home during their first year after foster care.

After Leaving Foster Care, Were You Ever Homeless During the First Year?+	MALE	FEMALE	TOTAL
Yes	35% (36)	43% (9)	36% (45)
No	64% (66)	57% (12)	63% (78)
No Answer	1% (1)	0	1% (1)
TOTAL	100% (103)	100% (21)	100% (124)

+ Only inmates who had aged out or run away from their foster care arrangement were asked this survey question.

TABLE 8

Race/Ethnicity of Male Inmates With a Foster Care History

Of the surveyed male⁺ prisoners who had lived in foster care, 33 percent were black, 31 percent white, 21 percent Latino, and 9 percent were Asian, Pacific Islander, Native American, and/or other races/ethnicities.⁺⁺

Race/Ethnicity of Male Inmates With a Foster Care History		Race/Ethnicity of the Overall Male Population in California's Prison System ¹¹	Race/Ethnicity of the Male Adult Population in California ¹²
Black	33% (105)	29% (46,459)	6% (798,462)
White	31% (99)	26% (40,823)	45% (6,240,301)
Latino	21% (66)	39% (62,944)	34% (4,721,228)
Other	9% (30)	6% (9,442)	16% (2,160,654)
No Answer	5% (15)		
Insufficient Information	<1% (1)		
TOTAL	100% (316)	100% (159,668)	100% (13,920,645)
Average (Mean) Age	33 Years	37 Years	42 Years

Percentages may not add to 100 percent due to rounding.

+ The sample size for female inmates was not large enough for statistical analysis.

++ All population figures in Table 8 are based on 2008 data, the year the SOR/CDCR survey was conducted.

Corrections at a Glance

When the California Senate Office of Research/California Department of Corrections and Rehabilitation survey was conducted in 2008, there were approximately 171,000 adult inmates incarcerated in 33 state prisons, 40 firefighting camps, 12 community correctional facilities, 5 community facilities for female inmates and their children, and 5 out-of-state facilities (2½ percent of the state's adult inmates were imprisoned outside of California). More than half—89,921—of the inmates were incarcerated for crimes against people, which includes more than 22,400 who were serving life sentences *with* the possibility of parole, and about 3,700 who were serving life sentences *without* the possibility of parole. The corrections department spent more than \$10 billion on incarceration costs in the 2007–08 fiscal year.

— M.G.

TABLE 9

Race/Ethnicity of Male Inmates Who Had Lived Only in a Group-Home Foster-Care Arrangement

Of the surveyed male+ prison inmates who had been in foster care and spent time only in group homes— not in any other type of foster care arrangement— 33 percent were black, 27 percent white, 25 percent Latino, 1 percent Asian/Pacific Islander, and 1 percent Native American.

Race/Ethnicity of Male Inmates Who Had Lived Only in a Group-Home Foster-Care Arrangement	
Black	33% (36)
White	27% (30)
Latino	25% (28)
Asian/Pacific Islander	1% (1)
Native American	1% (1)
Other	7% (8)
No Answer	5% (6)
TOTAL	100% (110)

Percentages may not add to 100 percent due to rounding.
 + The sample size for female inmates was not large enough for statistical analysis.

Policy Considerations

California’s state prison system—one of the largest in the nation—incarcerates thousands of former foster care youth. Some studies from around the country have reported that high percentages (as high as 30 percent¹³) of former foster youth have been incarcerated in their adult years, yet these percentages typically reflect those who have been jailed for one or two nights as well as those who have

been imprisoned for years. (Jail sentences typically have been for misdemeanors and shorter durations, usually up to one year, whereas adult prison sentences might last for many years in high-security penitentiaries.)

This California Senate Office of Research/ California Department of Corrections and Rehabilitation (SOR/CDCR) survey enabled researchers—for the first time in California—to shine a spotlight on a segment of the state’s adult prison population to determine what percentage of that population was comprised of former foster care youth. (This survey did not, for logistical reasons, include those serving life sentences or California inmates imprisoned in other states.)

SOR’s analysis of the survey results reveals that 14 percent of the surveyed California prison inmates had reported being in foster care during their childhood, which, while smaller than percentages reported in some surveys in other states, still demonstrates that thousands of these one-time wards of the state were in adult prisons before they were paroled and returned to the community—and thousands more are expected to follow in their footsteps in the future unless measures are taken to intervene.

What does this mean for California’s policymakers?

For those former foster care youth who ultimately find themselves within the walls of California’s state prisons, it’s noteworthy that they currently are not recognized by CDCR as a distinct cohort with particular needs, although they could be. For instance, inmates with substance-abuse problems, those who are illiterate, and those who have

April's Story

How Foster Care Impacted One Child's Struggle Into Adulthood

April recalls the time when she was physically abused, when her hair was forcibly cut off by her stepmother, when she ran away from home, and when she turned to heroin for solace—all by the time she was 12. Her parents and the courts deemed her incorrigible, and she was in and out of foster care throughout her troubled teen years.

"I would never do what I was told," said April (not her real name), as she looked back at how her life veered off the tracks. "I was a violent child. I wanted to fight everyone. I remember chasing my brother around the house with a two-by-four."

Her teen years were marked by a variety of foster care homes, some good, some not-so-good, she says. In between the foster care homes were stops at juvenile halls, group homes, and a mental hospital. When she was living on the streets of San Francisco, April supported her growing drug habit by working in strip clubs, and eventually she turned to prostitution.

Whenever she was caught by the police, they would send her to juvenile hall and often to foster care homes. Some foster families showed her love and compassion. Others offered little emotional support. April is an adult now, and much of her early life is a blur, she says, but by her early thirties she found herself incarcerated at the California Institution for Women.

Behind the prison's walls, she became part of the prison family. "In prison, I never discussed anything like foster care. You kind of put a brick wall up around you when you are there to protect yourself. I was a chameleon. I fit in." Instead, April sought to glamorize life on the streets to the other female inmates who became her surrogate family and support system.

"I just didn't know how to live life without drugs," she recalled. After about five years behind bars, April decided she never again wanted to be incarcerated. She sobered up, was paroled in 1999 to a substance-abuse treatment program, and moved into a clean and sober home. She had to negotiate life on the outside. At age 36, writing a check was a new experience for her.

"I haven't fallen off the wagon," said April, who now lives in the Los Angeles area and has been clean and sober for more than a decade and even became a certified drug-and-alcohol specialist. She currently serves as a supervisor in a drug-treatment program, mentors an 11-year-old girl whose father is in prison, and speaks to new parolees. She said the foster care system "probably" helped her, although she cautioned that there are some "bad foster homes."

Since she has been drug-free, April reconnected with her father and "started reunification with [the rest of] my real family," and she married. She tells parolees that they, too, can choose to break old habits and establish a new life outside prison walls with their families.

— M.G.

anger-management issues are identified by CDCR as distinct groups of inmates with particular needs. In many cases, prison programs strongly encourage family reunification for these groups of inmates, yet for former foster youth, family reunification is a measure that could be problematic for many reasons (issues of abusive or neglectful parents are common, and other family members may be difficult to locate, for example).

Recognizing that inmates with a foster care history may need programs tailored to their particular experiences and needs could be a productive first step.

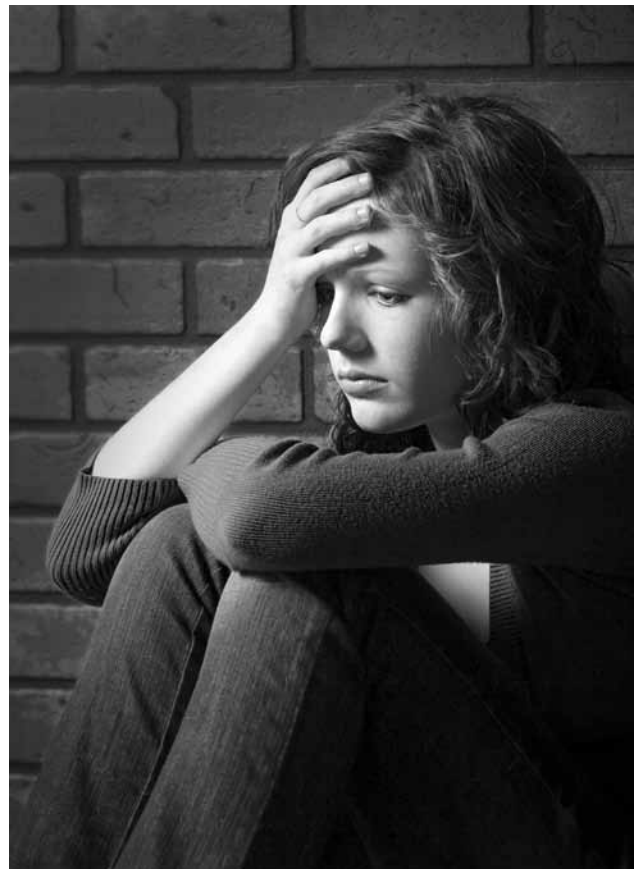
New state legislation (Assembly Bill 12, Beall, Chapter 559, which was enacted in 2010 and goes into effect in 2012) offers an example of how policy can help make a difference, in this case by allowing children to remain in foster care until age 21 instead of forcing them to leave, in most cases, at age 18 (see “What Is Foster Care?” on page 2 for more details).

Continuing to collect and analyze data that quantifies the number of prison inmates who have spent part of their childhood in foster care also may help policymakers obtain a better profile of the types of people currently incarcerated in today’s prisons. In addition, studying what tends to happen to previously incarcerated foster youth once they are paroled may offer valuable insight.

Gaining a better understanding of these populations could encourage policymakers and researchers to create programs—or enhance existing ones—that specifically address the needs of the thousands of

inmates who had at some point been in foster care. For example:

- > Prison administrators could develop in-prison, self-help, volunteer, or other treatment programs tailored to the needs of inmates who primarily were raised in foster care instead of by their parents.
- > Parole or probation staff could assist young parolees who have a foster care history in obtaining important services that will soon be available to former foster youth, such as assistance obtaining employment or other financial support; help securing housing and applying for health insurance; help applying



Will a New Law Impact the Number of Foster Care Children Who Eventually Land in Prison?

On January 1, 2012, some foster care youth who are older than 18 will be eligible for the first time for services designed to assist them with their transition into society and the workforce.

for admission to college, a vocational training program, or another educational institution; and assistance maintaining relationships with individuals who are important to them.

- > Policymakers could improve and develop new services for foster care teens who are trying to navigate their paths to independence—particularly services that could more effectively help ward off potential interactions with the criminal justice system.

Survey Methodology

In collaboration with the California Senate Office of Research (SOR), the California Department of Corrections and Rehabilitation (CDCR) for the first time added questions about foster care to the risk-and-needs-assessment questionnaire administered to California prison inmates scheduled to be paroled within eight months. Questions about inmate foster care history were offered on a voluntary basis during the two-week period of June 16, 2008, through June 27, 2008, to inmates in all of California's 33 state prisons.

When this unique questionnaire was administered, there were 166,668 inmates in CDCR's custody in California: 155,276 men and 11,392 women. Inmates not eligible to participate in this survey included those serving life sentences, on death row, sent to prisons outside of California for incarceration, or in small community facilities.

Complete randomness of inmate selection could not be assured due to the potential for unknown factors, such as the number of days a facility might be in "lockdown,"

missing paperwork, a last-minute revocation of parole eligibility for an inmate, or possible unknown differences in the way the survey was administered to inmates at each of the 33 prisons. However, CDCR reports that the two-week period during which the survey took place did not differ from any other two-week period at these 33 prisons in 2008 and all inmates assessed during the two-week period were given the seven-question foster care survey.

Of the 2,564 surveys, 15 were discarded due to incomplete answers, leaving 2,549 completed surveys¹⁴ analyzed for this report. Of the 2,549 surveys tallied, 356 inmates—316 men and 40 women—said they had been in foster care during their youth.

In the survey results presented in this report, the 356 respondents—14 percent of the surveyed inmates—who said they had been in foster care are shown as a percentage of the 2,549 inmates who were surveyed, without extrapolation to the larger prison population.

The findings are based on inmate self-reporting. As a result, the actual numbers of offenders with a history of foster care may be somewhat different.

Surveyed prison inmates were assured confidentiality; other than their age, sex, and race/ethnicity, no other personal identifying information was provided to SOR for analysis.

Endnotes

1. Under current California law, financial support for foster care children ends at age 18, unless the child continues to attend high school or is working toward an equivalent certificate and is likely to complete school by age 19. Beginning in 2012, California Assembly Bill 12 (Beall, Chapter 559, Statutes of 2010) goes into effect and the age at which foster care status terminates gradually will increase to 21 years old.
2. Mark E. Courtney et al., "Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19," Chapin Hall Center for Children at the University of Chicago, May 2005. In an ongoing study, researchers are following a cohort of former foster youth who aged out of foster care in Wisconsin, Iowa, and Illinois. Children age out of foster care in Wisconsin and Iowa at age 18, whereas in Illinois, youth aging out of foster care may continue to live "in care" under child-welfare-agency supervision until age 21. In assessing the foster youth in all three states, the researchers report: "Overall, the young adults in our sample reported a high level of criminal justice system involvement..." Yet those youth in care after age 18 (until age 21) had lower rates of criminal-justice-system involvement than those who were forced to age out of foster care at age 18. Among those who were no longer in foster care after age 18, 33.8 percent reported they had been arrested by age 19, and 23.7 percent reported they had spent at least one night in a correctional facility by age 19; conversely, of those who were able to remain in foster care after age 18, 21.9 percent reported they had been arrested by age 19, and 14.4 percent reported they had spent at least one night in a correctional facility by age 19. For the most recent study results, visit: www.chapinhall.org/research/report/midwest-evaluation-adult-functioning-former-foster-youth.
3. A 2008 Child Welfare League of America study by Joseph Magruder and Terry V. Shaw found that 3.3 percent of all children born in California in 1999 had been placed in foster care at least once by age seven. "Children Ever in Care: An Examination of Cumulative Disproportionality," *Child Welfare Journal of Policy, Practice, and Program—Special Issue, Racial Disproportionality in Child Welfare*, vol. 87, no. 2, 2008, p. 169-188, www.cwla.org.
4. At press time in early December 2011, approximately 152,000 inmates were incarcerated in California's prison system. The inmate populations cited for 2008 and 2011 include California inmates relocated to prisons in other states.
5. Child Welfare Services/Case Management System Reports, Child Welfare Dynamic Report System, Caseload: Point-In-Time, Children in Foster Care, California, July 1, 2011, California Department of Social Services and the Center for Social Services Research, School of Social Welfare, University of California, Berkeley.
6. California Assembly Bill 12 (Beall), Chapter 559, Statutes of 2010.
7. Inmates who reported being in more than one type of foster care placement were tallied in Table 1 according to the most restrictive placement (i.e., the most institutional and least homelike).
8. The figures in Table 2 may underrepresent the total time spent in foster care, as some inmates may not have recalled foster care placements that occurred when they were infants or young children.
9. Calculations are based on California prison-sentencing guidelines. The California Department of Corrections and Rehabilitation notes that a typical offender may cycle through the court system several times before finally being sentenced to a state prison; hence, California offenders may take longer to land in a state prison than elsewhere.
10. For the survey question "When you left foster care, what type of housing arrangement did you have?" one optional answer was: "I was on my own, essentially homeless with no plan for housing."
11. California Department of Corrections and Rehabilitation, "Table 4: Prison Census Data, Total Institution Population, Offenders by Ethnicity and Gender as of June 30, 2008," August 2008, www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/Census/CENSUSd0806.pdf. Figures include California prisoners incarcerated in out-of-state facilities.
12. State of California, Department of Finance, "E-3 Race/Ethnic Population Estimates With Age and Sex Detail, 2000–2008," Sacramento, California, June 2010. www.dof.ca.gov/research/demographic/data/e-3. Note: The average age of adult California males between 18 and 100 years old was 42 years in 2008, the year the SOR/CDCR survey was conducted.
13. Mark E. Courtney et al., "Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 21," Chapin Hall Center for Children at the University of Chicago, December 2007. Also see endnote no. 2.
14. Of the 2,549 completed surveys, 2,345 were completed by male inmates and 204 by female inmates.

Sources: California Department of Corrections and Rehabilitation; California Department of Social Services; California Welfare and Institutions Code; Center for Social Services Research, School of Social Welfare, University of California at Berkeley; Chapin Hall Center for Children at the University of Chicago.

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