

The Chronicle of Social Change

Angel Enters Foster Care through Probation's Door

By [Daniel Heimpel](#), April 13, 2015



Credit: Max Whittaker, Prime

Angel walks to Caltrain in South San Francisco, California, March 26, 2015.

A 20-year-old's saga of abuse, incarceration and heartache illuminates the shadowy intersection of child welfare and juvenile justice.

“Like a picture in a magazine.”

That's how Angel's mother Leah wanted their small townhouse in Pacifica, California, to look. Picture perfect.

Leah says that she got the idea of giving her 12-year-old daughter chores after Angel's school sent home fliers describing the importance of teaching children how to “become successful adults.”

When her adolescent daughter failed to manage perfection – when Angel missed a task in her 16-point list of chores that ranged from cleaning the cat's litter box to folding plastic grocery bags exactly four times over – Leah's mood grew dark.

The punishments she meted out escalated from ridiculous, to humiliating, to grim.

“She would ground me from food,” Angel, says. “She would ground me from wearing normal clothes. I'd have to go to school in my pajamas. She would ground me from petting my cat. She would ground me from my room.”



Leah and daughter Angel pose in matching outfits on the first day of kindergarten.

Having given birth to Angel when she was herself just 16, Leah says that she didn't ever learn how to be a parent. Then, when her own father died, and Angel was around 14, Leah stifled her grief with a mixture of alcohol and cocaine, which she admits affected her behavior.

Whatever the exact cause, when her daughter failed to maintain the order she was trying to bring to their home, Leah's reactions were extreme. She would exile Angel to the communal laundry room of their housing complex. There, with the damp Pacific cold pushing in, cat vomit on the floor, the girl would be forced to sleep.

Worse still were the beatings. Sometimes, Angel says, her mother would hold her down, and use scissors to cut the clothes off her body.

One day when the girl was 15, the usual discord between Angel and her mother erupted. This time, however, the conflict took a direction that would set Angel adrift in the murky space between juvenile justice and foster care.

The row began in the evening over some dirt under the microwave that Angel had neglected to wipe up. This time Angel stormed out before the punishments could start. When she came back, red-faced from climbing the hill to their home, her mother accused her of being drunk.

"She confiscated my book bag saying she was going to look for drugs in it," Angel says. With her book bag, Leah also took the homework that Angel had to turn in the next day.

Angel was famous for leaving everything until the last minute, says her grandmother, Wendy.

"Talk about a fuse lit and the bomb explodes," Wendy says. "The situation became very volatile."

Angel kicked Leah's door, frantic to get the book bag back.

Leah burst out, and attempted to ground Angel from her room again. "She started taking my door off the hinges. I tried to stop her, and was met with punches and kicks so I backed away."

Leah's version is different. Instead of demanding her schoolwork, Leah says that her daughter threatened her.

“I don’t fantasize about drugs or sex,” Leah remembers Angel saying, “I fantasize about ways to kill you.”

Both Angel and Leah agree about the way the fight ended. “I copped out and called the cops,” Leah says.

An hour later, two male police officers appeared at the front door. Angel told them that she was the victim, and tried to show them the hot red welts on her arms and legs from where her mother had hit her. “They averted their eyes so quickly,” Angel says, “as if they wanted to pretend I had never said anything.”

The cops took Angel to the Pacifica police station. From there, she was moved to San Mateo County “Youth Services Center,” a juvenile hall in Belmont, where she spent two-and-half months. Finally, Angel says, her attorney told her that if she took a plea deal, she would be released faster than if she waited around for trial. She pleaded guilty to charges of vandalism and battery and spent the next five months across the street in the Margaret J. Kemp Camp for girls.

When the five months were up, no one was sure where to send the girl. Leah admits that child protective services had investigated her because of reports of abuse and neglect filed by neighbors and Angel’s estranged father over the years, starting when Angel was a baby and Leah was still in her teens. Why child protective services never removed Angel from Leah’s care earlier is not clear. But when her relationship with her mother failed, and she was released from camp, it was probation’s turn to act as a parent.

And so it was that, in 2010, Angel became one of roughly 4,000 California children who to this day enter the juvenile justice system and are kept in group homes because they have nowhere to go or cannot be safely returned home to serve out the terms of their probation.



Credit: Max Whittaker, Prime

California’s “Second System”

California’s probation system is one of a number across the country that use federal foster care funds to take care of kids like Angel who enter juvenile justice but have no safe home to serve out their probation terms, so are placed in group homes. With the federal dollars come strings, along with [memorandums of understanding](#) spelling out for all 58 counties that their juvenile probation departments must provide case management like the foster care system would.

But probation isn't foster care. It is a law enforcement agency, which means its go-to method for eliciting compliance from kids is often its power of arrest, a tactic that runs contrary to the goals of healing children from the emotional abuse that got so many of them caught up with the law in the first place.

Then there is the matter of what to do when this distinct subset of vulnerable probation youth reach age 18.

In the foster care system, it has long been recognized that to cut all aid at age 18 was to invite poor outcomes with disproportionately high numbers of foster youth experiencing homelessness, incarceration and diminished educational opportunity. When it comes to children who have had the double blow of experiencing foster care and the juvenile justice system, a famous 2011 [study out of Los Angeles](#) tracking these so-called "crossover youth" showed that their transitions into adulthood can be twice as perilous.

With the outcomes of foster youth in mind, in 2010 the California legislature passed Assembly Bill 12, which extended foster care benefits from age 18 to 21. In 2012, California began implementing AB 12, and kids like Angel, who entered foster care through probation's door, were eligible.

While Angel describes her encounters with juvenile justice as painful and providing little discernible therapeutic value, they did afford her the opportunity for support past age 18.

"These young people are fleeing abuse and neglect," says Amy Lemley, the policy director of the John Burton Foundation, and a leading advocate behind AB 12. "They [probation foster youth] probably did something as a direct result of being maltreated, and that resulted in them entering the juvenile justice system. We have a secondary system for kids that act out because they were abused."

While far from ideal, that "secondary system" provides a unique escape, unavailable in most states.

"In other places, the juvenile justice system is completely distinct," Lemley says. "She [Angel] would have been shuttled into the criminal justice system and not be eligible for extended foster care."

[Pending legislation](#) here in California could open up eligibility for extended foster care to even more young people who were involved in the probation system.

But advocates maintain that this is not a simple policy fix. Across the state, county probation departments are grappling with how best to help these emerging adults who are often suffering the long-term effects of childhoods riddled with traumatic events, including having spent large parts of their younger days in juvenile halls, camps or probation-run group homes.



Then the Trailer Caught Fire

Shortly before Angel's 16th birthday, the juvenile probation department in San Mateo County released her to the custody of her grandmother, who had finally agreed to take her. While this new living situation was far preferable to returning Angel to her mother, it was less than ideal.



Wendy holds a newborn Angel.

Angel's grandmother, Wendy, had always been an anxious and at times oblivious woman. (She confesses, for example, that she had no idea that her stepson had been sexually abusing Leah when she was a child.) With Angel sleeping on a couch in her cramped South San Francisco apartment, Wendy tried to set the "boundaries" in a sort of delayed atonement for her failings as a mother to Leah.

“She worried about my safety excessively and didn’t want me to end up like my mother: a teenage parent on drugs,” Angel says.

Angel admits she wasn’t an easy kid to handle. “I came to her after suffering years of trauma,” she says. “I was struggling to cope and I had a tremendous amount of repressed anger.”

Wendy’s efforts to keep the rebellious teenager in check, along with the terms of Angel’s probation, which included strict curfews, came to a head one night in January of 2013. Wendy had been up the whole of the previous night, sewing a Victorian-era styled dress for Angel to wear at a dance the following evening. Angel and her grandmother had bonded over tales of English aristocracy and stories of Wendy’s grandmother, who had been educated in London and spoke the “Queen’s English.”

“It was part of the family mythology we liked to connect with,” Wendy says.

But the sleepless night of sewing, along with the strain of a recent invasive medical procedure to remove varicose veins, caused Wendy’s temper to flare and the two fought. The rupture lasted for weeks. By March, Wendy says that Angel was increasingly elusive, staying away nights at a time. Finally one night, a worried Wendy remembers driving to the South San Francisco Police station with an 8.5 x 11 inch photo of Angel’s face, and pleading with police to find her granddaughter.

When the police did find Angel walking near a San Bruno shopping mall a few hours later, she was scared of being locked up again and gave the cops a fake name. Angel pleaded guilty to giving false identification to a police officer and was soon whisked back to San Mateo County juvenile hall, where she remained for the next two-and-a-half months.

“I thought it was very unfair,” Angel says. “I hadn’t done anything wrong, but was being treated like a criminal.”

When it was time for her release from San Mateo Juvenile Hall, Angel’s grandmother would no longer take her in, and her mother’s home still wasn’t a legal option. Thus county probation “placed” her in a group home on the grounds of the juvenile hall.

The group home, called the Excell Readiness Center, was in reality a flimsy prefab structure, where four boys and four girls were crammed into four tight bedrooms. Angel would spend the next 10 months there. She was due for release when she turned 18.

Weeks from her birthday, Angel met with her probation officer who gave her a cursory description of the extended foster care benefits available to her. According to Angel, it was one of only a handful of times she met with her P.O.

Days after the meeting, a dryer in Angel’s group home caught on fire.

“Smoke was pouring into my room from the hallway,” Angel says. “My entire room was full of it.”

As she and her trailer mates were evacuated, she remembered that one of the boys had once threatened to set the place on fire. “He actually did it,” Angel says.

After a long and cold night spent in one of the group home vans, the kids who had been consigned to the trailer were moved to the “receiving home” down the street where children

removed from their homes because of safety concerns were kept until they could be placed in foster care. “Our clothes and hair still smelled of smoke when they woke us up,” Angel says.

Vernon Brown, the CEO of Aspiranet a large youth service provider that ran the readiness center until 2014, says that most of the kids were moved back to the structure within a couple of weeks.

But for Angel, the fire meant leaving probation’s care prematurely and going back to live with her grandmother prior to her 18th birthday. Wendy agreed to take her granddaughter back, under the condition that it would only be for a few weeks.

Once those weeks were up, as is the case for so many other probation-involved foster youth, the only thing certain in Angel’s life was uncertainty. She was not terribly clear about how to get the extended benefits her probation officer had outlined only briefly. And the idea of putting herself back into the county’s hands made her anxious.

So Angel struck out on her own.



Credit: Max Whittaker, Prime

Terrick Bakhit. Because he was placed in a locked facility on his 18th birthday, Terrick was excluded from AB 12 benefits.

Widening the Door

In October of 2010, the year AB 12 was passed, 391 youth between age 18 and 20 were supervised by probation in group homes, according to data compiled by the Center for Social Services Research at UC Berkeley’s School of Social Welfare. By January of this year, the new law was showing impressive results. The number of 18 to 20-year-old probation youth had exploded by almost 400 percent to 1,485 young people.

But advocates contend that significant numbers of probation-involved foster youth are still being excluded from AB 12, so are pushing for new legislation to open access to kids who share similar experiences with Angel.

Among those young people still slipping between the cracks are those who have spent large stretches of time in the county’s care but are, by happenstance, released from probation group homes to the custody of a relative before they turn 18.

“They forget that the youth ever came from child welfare,” says Jennifer Rodriguez, executive director the Youth Law Center, and a central player behind a series of legislative pushes to

improve AB 12 for probation-involved foster youth. “Sometimes the probation department is releasing them right back to the parent who child welfare removed them from. All the problems that initiated the child welfare referral still remain and are not resolved.”

Another group presently excluded are the otherwise AB 12 eligible kids who, for one reason or another, find themselves in a locked juvenile facility on their 18th birthday, at which point any extended benefits suddenly vanish.

In October of last year, The Chronicle of Social Change [published a story](#) following the lives of three brothers who had all been in foster care.

The youngest, Joseph Bakhit, was AB 12 eligible and is using the extended benefits to help him pursue a degree at UC Berkeley. The oldest, Matthew, was excluded because he was already 21 when the law was implemented. Terrick, the middle brother, was denied AB 12 benefits because he was locked up in San Diego County’s Camp Barrett on his 18th birthday. If he had been released to a group home the day before, or if the judge had written him an all-important “placement order,” he would have been eligible.

Without the benefits, Terrick has struggled to succeed, the most stable employment he has had was selling knives for Cutco.

State Senator Jim Beall, who had been one of the lead legislative proponents behind AB 12, was moved by the story of the Bakhit brothers, and the efforts of advocacy groups like the Youth Law Center, [to introduce legislation](#) that would expand extended foster care eligibility for probation-involved foster youth.

“When you take away benefits, it is telling the kid, ‘You’re not going to college,’” Beall says. “I fail to see the logic of taking away the benefits. We’re going to fix that. That is the intent of [Senate Bill] 12.”

SB 12, which will be heard in the Senate Judiciary Committee on April 14, would also open up eligibility for a class of kids who, like Angel, had nowhere to go when the terms of their probation were up. But, while Angel was legally “placed” with grandmother Wendy, making her magically eligible, some are simply sent to live with a relative or other caretaker without a placement order, leaving them ineligible for the important three years of extended foster care benefits.

But the proposed legislation has powerful opponents, such as county probation department officials from up and down the state who say they are already struggling to deal with the influx of AB 12-eligible foster youth, so are opposed to widening the door for still more young people.

“We are having difficulty serving the foster youth we do have,” says Rosemary McCool, deputy director of the Chief Probation Officers of California (CPOC). “The current programs, in our view, aren’t sufficiently funded. We shouldn’t be expanding the population by any amount.”