Making the Case for upENDing the Child Welfare System
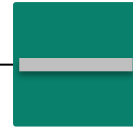
Framing the Issue

◉ Racial disproportionality has been observed in the child welfare system for over 50 years yet persists as a national problem.

◉ Due to ongoing debate about the causes of racial disproportionality, many efforts to address this have stalled, and what has been known as a problem in child welfare for decades remains unresolved.

◉ Disproportionate involvement causes disproportionate harm, and the failure of the system to address this problem perpetuates this harm.

◉ Given the inability of the current system to address this, it is time to consider a new framework that reimagines how we care for children.

Overview of Session

◉ Review what we know about racial disproportionality and disparities in the child welfare system.

◉ Review evidence of the harm that results to children and families from child welfare intervention and the disproportionate harm that results to Black and Native children and families.

◉ Introduce the upEND movement and why we believe abolition is necessary to end the harm that results from child welfare intervention.

◉ Discussion

Racial Disproportionality

◉ Disproportionality refers to the state of being out of proportion.

◉ In the child welfare system, disproportionality occurs when the proportion of one group in the child welfare population (i.e., children in foster care) is proportionately larger (overrepresented) than the same group in the general population.

◉ Disproportionality has most significantly impacted Black children, who represent 23% of children in foster care, although they represent only 14% of the general population.

◉ Racial disproportionality also exists among Native American and Latinx children, but to a lesser degree and with variations by state.

Racial Disproportionality (National)
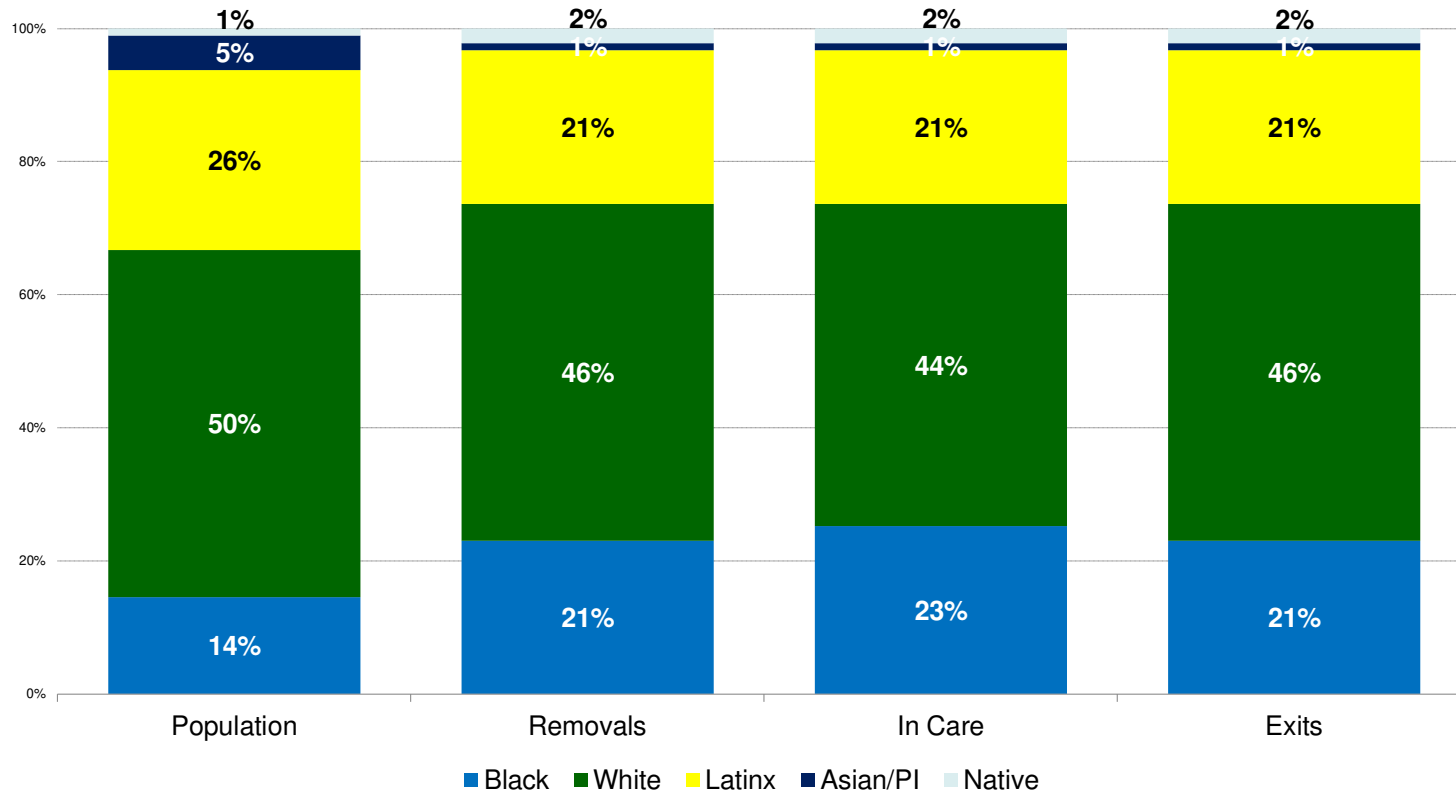
Racial Disparities

◉ Racial disproportionality exists because of racial disparities that occur along the child welfare service pathway that impact both entries into and exits from the system.

◉ Beginning with the point of initial referral, Black children are more likely than White children to be:

  ○ Reported for suspected maltreatment

  ○ Confirmed/substantiated for maltreatment

  ○ Removed from their homes and placed in foster care

◉ Black children are also less likely than other children to exit to reunification and spend longer time in foster care.

Why Racial Disproportionality & Disparities Exist

Early Understandings

- First brought to national attention by Billingsley and Giovannoni (1972) in their seminal publication, *Children of the Storm: Black Children and American Child Welfare.*

- Findings from the National Incidence Studies of Child Abuse and Neglect (NIS) were used to frame the issue as a problem resulting from racism or bias.

- Prior to 2010, NIS had been conducted 3 times: 1980 (NIS-1), 1986 (NIS-2), and 1993 (NIS-3).

- These studies consistently found no significant differences in rates of maltreatment between Black children and children of other races.

Critiques of Disproportionality Efforts

◉ *The Racial Disproportionality Movement in Child Welfare: False Facts and Dangerous Directions (2010) -* disproportionality occurs because Black children are in fact maltreated at higher rates than other children, and thus should be placed into foster care at higher rates.

◉ "Focus on the claimed racism of child welfare workers puts attention on a non-problem, while ignoring the real problems of the Black community – the societal legacy of racial injustice and the miserable socio-economic conditions that characterize too many Black lives."

◉ "If Black children are in fact subject to serious maltreatment by their parents at higher rates than White children, it is in their interest to be removed at higher rates than White children."

Findings from NIS-4

◉ Findings from the NIS-4, released in 2010, found for the first time that rates of maltreatment for Black children were significantly higher than those for White or Latinx children in several maltreatment categories.

◉ Differences were the result of greater precision of the NIS-4 estimates, as well as an increased gap in income between Black and White families since the NIS-3.

◉ Data from the NIS-4 indicates that children in low SES households experience maltreatment at a rate more than 5 times the rate of other children.

◉ Black families are more than twice as likely as White families to live in poverty.

Current Debate

◉ At issue now is whether disproportionality results from "disproportionate need" among Black families, or from racial biases within child welfare systems.

◉ Research supports both views, yet those who support theories of "disproportionate need" have been very critical of efforts that attempt to address issues of racial bias within child welfare systems.

◉ The result has been that many efforts to address disproportionality have stalled as administrators have been led to believe the factors that cause disproportionality exist outside their systems.
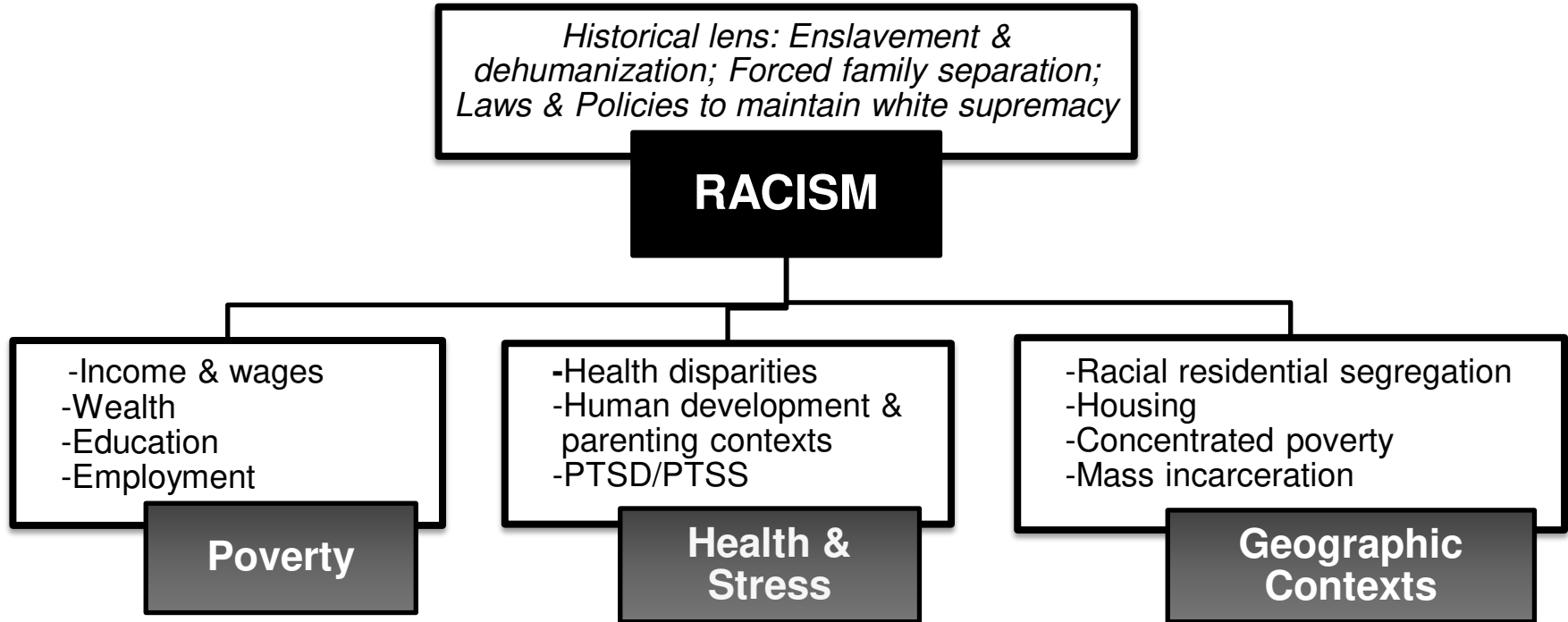
Why Racial Disproportionality Exists

- Four predominant theories based on available evidence:
  - Disproportionate need resulting from poverty and related risks
  - Racial bias among child welfare staff and mandated reporters, as well as institutional racism in policies and practices of child welfare agencies
  - Child welfare system factors, including a lack of resources to address the needs of families of color
  - Geographic context, including neighborhood conditions of concentrated poverty

- Each of these factors result from a common underlying factor – structural and institutional racism, both within child welfare systems and within society at large.

External Factors

Historical lens: Enslavement & dehumanization; Forced family separation; Laws & Policies to maintain white supremacy

RACISM

Poverty
- Income & wages
- Wealth
- Education
- Employment

Health & Stress
- Health disparities
- Human development & parenting contexts
- PTSD/PTSS

Geographic Contexts
- Racial residential segregation
- Housing
- Concentrated poverty
- Mass incarceration

Internal Factors: Evidence of Bias

- Decision Point Studies in Texas (2008-2011) examined cases reported to DFPS between 2003 - 2005 (N = 176,734)

- Two decision-points: Substantiation & Services/Removal Decision

  - Need for Intervention (Services vs. Closed)

  - Type of Intervention (Removal vs. Family-Based Services)

- Controlled for family income and caseworkers' assessment of risk, as well as other factors
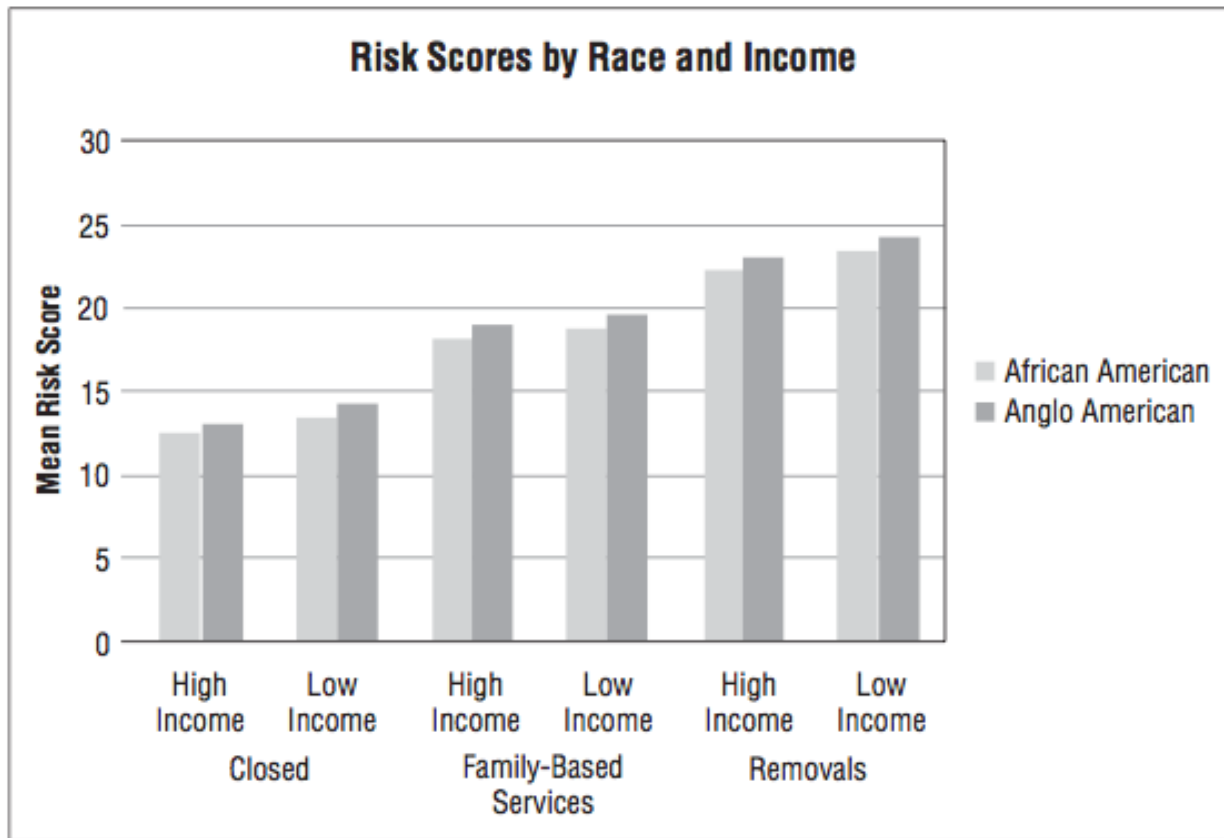
Internal Factors: Evidence of Bias

◉ When controlling for poverty and risk:

- ○ Black children are 15% more likely than Whites to be involved in a substantiated case

◉ When controlling for poverty and risk:

- ○ *Among all maltreated children*, Black children are 20% more likely than White children to be involved in a case that is opened for services

- ○ *Of cases opened for services*, Black children are 77% more likely than White children to be removed in lieu of in-home services

Internal Factors: Evidence of Bias

Risk Scores by Race and Income

Disproportionate Involvement Causes Disproportionate Harm

upEND

Family Separation

◉ Research shows the act of forcible separation of children from their parents is a source of significant and lifelong trauma.

◉ Trauma associated with parental separation has been shown to result in cognitive delays, increased aggression, poor educational achievement, and adverse health outcomes including hypertension, difficulty sleeping, obesity, and diabetes.

◉ Following separation, children who spend time in foster care are more likely to experience a host of adverse outcomes.

Outcomes of Foster Care

◉ In studies that specifically compared children who were removed from their homes to children who had experienced similar forms of maltreatment but remained at home, children who were removed:

  ○ had two to three times higher delinquency rates;
  ○ had higher teen birth rates;
  ○ had lower earnings as adults;
  ○ were twice as likely to have learning disabilities and developmental delays;
  ○ were six times more likely to have behavioral problems;
  ○ were more likely to have substance-related disorders, psychotic or bipolar disorders, and depression and anxiety disorders; and
  ○ had arrest rates two to three times higher and are more likely to have criminal convictions for violent offenses.

Disproportionate Risk of Harm

◉ While these risks exist for all children who enter foster care, the risk of experiencing these outcomes is exacerbated for children of color due to the ongoing legacy of racism and inequality.

◉ Black children in America are already at risk of poor outcomes over the course of their lives including economic hardship, poor health, low educational attainment, teen births, criminal legal system involvement, emotional distress, and suicidal ideation.

◉ For children who experience the added trauma of forced separation and placement in foster care, the risk of experiencing these outcomes is increased.

The upEND Movement to Abolish the Child Welfare System

Why upEND?

- Decades of research have documented not only the existence of racial disproportionality, but also the harmful effects of disproportionality on Black children and families.

- Despite decades of reforms and attempts to address this, racial disproportionality persists, and the harm that results to Black children and families continues.

- Given the inability of the current system to address this, it is time to consider a new framework that reimagines how we care for children – a framework that is fundamentally anti-racist.

An Anti-Racist Framework

◉ Antiracism is a practice that opposes institutional and systemic policies and practices that produce and maintain racial inequity.

◉ Applying an anti-racist framework to child welfare begins by acknowledging that racial disproportionality and disparities are maintained through the policies of the system in which they exist.

◉ Eliminating racial disproportionality requires that we shift our efforts from trying to reduce disproportionality once it exists, to examining and remedying the policies and practices that create it.

◉ In the child welfare system, those are the policies and practices that support the involuntary separation and removal of children from their parents.

Why upEND?

- Reforms are no longer sufficient.

- Eliminating racial disproportionality and disparities, and the harm they cause, will only be achieved when the forcible and involuntary separation of children from their parents is no longer viewed as an acceptable form of intervention.

- The harm that results from this, and the families that are destroyed as a result, will only end through abolition of the child welfare system and a fundamental reimagining of how we support child, family, and community safety and wellbeing.

What is the upEND Movement?

- An ***emerging***, collaborative movement aimed at:
  - ending the use of involuntary separation of children from their families; *and*
  - increasing meaningful supports so families and communities can care for their children.

- Seeks to rethink state sanctioned separation of children from their families as a response to social problems like food insecurity, poverty, lack of affordable and safe housing, and lack of meaningful prevention services.

Abolition

- Abolition of child welfare does not mean abandoning the need to care for children.

- It means building new ways of protecting and supporting families while also dismantling coercive systems of surveillance and punishment.

- Abolition is a process – Abolition requires that we actively dismantle racist policies and create new anti-racist policies and practices that provide the resources families need so that all children can remain at home safely with their families.

- Abolition also requires the shifting of power from institutions of social management, such as child welfare, to communities.

Reimagining

Re-imagining is a process of **co-creation** with community organizers, parents, youth, and advocates:

◉ Strong systems of support that enable families to have access to the resources in their community that they need to truly thrive.

◉ Creating and improving systems of community-based support that provide a child allowance, safe and affordable housing, jobs that pay sustainable wages, mental health services, food, domestic violence supports, and substance use programs.

What reimagining will look like:

◉ All families have concrete supports; residents of communities intervene when needed; community members who have experienced recovery provide support to those who need it; a sufficient community array of supports and interventions exist; and there is a community system of care that can minimize and address harm.

Abolition is a way of seeing. Abolition makes you ask, when you look, what are you seeing, and what would you rather see?
~ Ruth Wilson Gilmore

Questions / Discussion

@upENDmovement

@alandettlaff