

The Carceral Logic of the Family Policing System

*An up***END** *publication by*
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“The way that requirements are heaped onto parents is consistent with the current punitive model for social services, in which everything comes down to personal responsibility. Instead of addressing parents’ lack of resources, for example, it’s assumed that the problem lies with some ‘pathology’ of the parent. Parents who are sucked into the child welfare system are almost always mandated to attend classes, even when the problem that led to their involvement was entirely driven by poverty. It is useful to consider how this relates to both psychiatric diagnoses – which can lead to punitively mandated treatment – and criminal charges, which can lead to incarceration. Instead of providing actual support, each of these systems enacts new forms of control and calls them support.”

– Maya Schenwar and Victoria Law in *Prison by Any Other Name: The Harmful Consequences of Popular Reforms*

By including the [family policing system](#) in their book [Prison by Any Other Name](#), Maya Schenwar and Victoria Law link the punitive nature of the prison system to “the current punitive model for social services.” The similarities that Schenwar and Law note, such as each system’s focus on coercing compliance as opposed to changing material realities and the disproportionate impact of each system on people of color, particularly Black people, evidence the systems’ similarities. But these systems do not merely do similar things – they are different manifestations of the same idea. Both the family policing system and the criminal punishment system are carceral logic incarnate.

At its simplest, carceral logic is the system of thinking that makes punitive systems possible. Built on the fear that there are [a “terrible few” who have the pathology to cause harm to others](#), carceral logic draws absolutes: these “terrible few” are inherently and unwaveringly “dangerous,” all others are “innocents,” and the innocents must be protected from the dangerous. Carceral logic has responded to the presumed inevitability of danger in the same way – to keep “the innocent” safe, an authority must intervene and forcibly prevent the “terrible few” from enacting harm. Instead of thinking critically about what it means to co-create safety, carceral logic tells us that the only way we can be safe is by entrusting the state to punish those who have caused (or who are presumed to have the pathology to cause) harm. As a result, we see the proliferation of systems of surveillance, regulation, and punishment, a trend that anti-carceral feminist scholars Beth Richie and Kayla Martensen call [“carceral expansion.”](#) Richie and Martensen point to the link between the criminal punishment system and social services as evidence that social workers must be part of the movement to resist carceral expansion. This resistance starts with understanding the role that the family policing system plays within the broader carceral state.

From their very first contact with the family policing system, parents are constructed as a safety threat. When a family is reported to a family policing agency, both a child’s safety and a parent’s parental fitness are assessed. As Schenwar and Law remark, whether a situation is deemed unsafe or a parent is deemed unfit, “it’s assumed that the problem lies with some ‘pathology’ of the parent.” The process of assessment, the standards of assessment, and the overall history of pathologizing parents are rife with bias and racism. They’re also problematic and victim-blaming, as they often [punish mothers for “failing to protect” their children from their abusive partners](#).

The standards for what constitutes abuse or neglect are vague, leaving much room for caseworkers’ biases to creep into the subjective process of deeming a child unsafe. For example, in the state of Illinois, one of the “safety threat” criteria used by caseworkers is whether or not a household member’s “behavior is violent and out of control.” Research demonstrates that [Black men are perceived as larger and more threatening than White men](#), making them potentially more likely to be deemed violent or out of control. Further, there is a

long history of pathologizing poor parents and parents of color, especially Black parents, a practice that was reflected by the infamous [1965 Moynihan Report](#).

[Data tell us that Black, Indigenous, and increasingly Latinx families are overrepresented in the foster system](#). So are [LGBTQ+ youth](#) and [poor and working-class families](#). [A parent's mental and physical health are assessed as factors in the determination of parental fitness](#), so neurodivergent and disabled parents are hyper-scrutinized throughout the risk assessment process. The abundance of disproportionality data indicates that the process to determine who is deemed an unfit parent or an unsafe child is steeped in racism, cis-heterosexism, classism, and ableism.

The overemphasis on the “pathology” of the parent carries on beyond the assessment into the actual safety plan. When parents are deemed unfit or children are deemed unsafe, the family policing system’s interventions rely on the threat of or the actual removal of children from the home and focus most heavily on altering the parent’s approach to childrearing through various treatment options, as opposed to providing fundamental supports that ameliorate the material realities that cause families stress and may have led to their initial contact with the system.

[Schenwar and Law write](#), “Parents who are sucked into the child welfare system are almost always mandated to attend classes, even when the problem that led to their involvement was entirely driven by poverty.” They point out that a mandated anger management course about developing healthy stress coping mechanisms makes a limited impact if the source of the stress (poverty, for example) isn’t addressed. The focus on pathologizing and correcting individual parents’ behavior does not make a family safer and may even exacerbate a family’s isolation and poverty, as the time commitment of attending to a safety plan’s mandates can detract from time spent working and observing important social rituals.

The harmful outcome of this “personal responsibility” component of carceral logic is manifold: first, this approach overemphasizes parents’ responsibility. Constructing parents as the epicenter of the issue advances the notion that parents whose families become involved with the family policing system are dangerous, casting impacted parents as the “terrible few” who, according to carceral logic, must be feared, isolated, and punished. Carceral logic’s laser focus on individuals’ “personal responsibility” overlooks and even exacerbates the true causes of child maltreatment – by framing child maltreatment as a series of isolated incidents as opposed to a public health issue, the family policing system obscures the reality that child maltreatment cannot be meaningfully ameliorated without overarching system and societal-level change.

Second, the heightened focus on parents’ fitness ensnares families in an ongoing period of surveillance and scrutiny, which creates more pathways toward involvement with other carceral institutions. [Richie and Martensen discuss](#) how carceral logic has become deeply embedded in social services:

Increasingly, social services are adopting the logics of the Prison Nation and progressively building a relationship with the carceral state...and thus, punitive and social services can become indistinguishable. ... Perhaps well intentioned, social services, and social workers who conspire with the punishment system assist the carceral state in the excessive surveillance that fuels mass incarceration.

Data about the reciprocal nature of the prison system and the family policing system show how these systems feed into one another. [States that invest more money in prisons and policing remove children at higher rates than states with expansive welfare systems. Foster youth are disproportionately likely to become incarcerated and incarcerated parents are disproportionately likely to lose their parental rights.](#)

Finally, the overemphasis on personal responsibility does little to nothing to create actual safety. In the decades-long process of integrating carceral logic into the U.S. mainstream, the true meaning of safety has become obscured beyond recognition. Instead of interconnected communities housed in well-resourced neighborhoods, safety today looks like fruitless, pathologizing, and regulatory bureaucratic systems. Data show us that the prevailing carceral logic has not increased public safety, and in fact we know that [carceral systems make communities of color, particularly Black communities, less safe](#). In addition to [adversely affecting children's life outcomes](#), the process of investigation, removal/separation, and placement in foster care is [an incredible trauma that impacts children far beyond the duration of their involvement with the system](#). The child welfare system cannot offer the vision of safety that it is intended to provide.

Carceral logic has shaped the U.S. mainstream understanding of safety, reducing safety to an ideal that we must look to an authority such as the state or law enforcement official to implement. Safety is perpetually the greener pasture, just out of our individual reach. Carceral logic teaches us that safety is something we must call for, not something we can co-create and build together. The result? A massive carceral apparatus that rules over a disempowered public, and the continuation of the very social ills that carceral logics supposedly address. But [Richie and Martensen](#) point toward a different, more hopeful path:

Some feminist social workers have engaged to resist the buildup of the carceral state. A growing cohort has been working to organize community-based intervention services, advocate for community accountability projects, work in coalitions to build a broader systematic justice movement, and provide individual crisis intervention, restorative justice, and harm reduction services in cases where harm has occurred.

At the [upEND Movement](#), we align our work with the efforts that these anti-carceral feminist scholars are making. By understanding carceral logic as the bedrock of not only prisons and policing, but also family policing, we tie our work to broader movements to abolish carcerality in all its manifestations. To this end, we support movements to dismantle the systems and structures that create harm, including racial capitalism, imperialism, colonialism, White supremacy,

patriarchy, ageism, adultism, and anti-Blackness; movements to divest from surveillance and policing systems (including family policing and border militarism); and movements to invest in families and communities through reparations, abundant social services, and overarching wealth redistribution. We fight to live in a world where we have reclaimed our definitions of safety and understand that safety for children and families is a state of being that we, as united communities, co-create.