upEND

FRAMEWORK FOR EVALUATING REFORMIST REFORMS VS. ==ABOLITIONIST STEPS== TO END THE FAMILY POLICING SYSTEM

INTRODUCTION

The questions in this document provide a guide to analyze whether proposed reforms to family policing further entrench the family policing system or move us closer to abolition of family policing. The questions we ask are a reflection of the world we want to build—one without family policing and one where children are safer.

We seek to: **end the reach of the family policing system; end the prospect of harm caused by family policing; take away the power of the family policing system; and diminish the legitimacy of the family policing system,** while also seeking to **affirm child, family, and community autonomy; promote healing for children, families, and communities; increase access to direct supports; and create a society where the need for a family policing system is obsolete.**

There are many questions to ask that lead us to the abolition of family policing; these are just a few. And, while the answers to each of these questions are not always unequivocally "yes" or "no," the questions do assist in considering whether we are building a world where family policing no longer exists or simply transforming family policing while leaving the core components of the system and its oppression intact.

ACKNOWLEDGMENTS

This framework is adapted from the work of Critical Resistance, who developed a framework for evaluating proposed reforms to policing. While the child welfare system is not always included in larger conversations about police and prison abolition, we understand family policing to be a key component of the carceral state. The reforms in this guide are not as well-known as some of the major reforms to policing; yet just as reforms to policing fatally misunderstand the problem of policing, so do many of the major proposed reforms to child welfare.

ABOLITIONIST STEPS TO BUILD A BETTER WORLD

In 2020, during the peak of the summer uprisings in response to the public executions of George Floyd, Breonna Taylor, and others murdered by the state, abolition as a means to end state violence grew roots in conversations about policing in the United States. Prison abolitionists have been working to end policing and prisons throughout the history of the United States, yet in 2020, abolition drifted from the margins to the forefront of public discourse. But, as Micah Herskind writes, abotiltion's ascent into public discourse was followed by "swift pushback, counterinsurgency, and co-optation." Rather than support abolitionist efforts that seek to directly address the state and its readiness to inflict harm and violence on "certain people in certain places," reform quickly re-emerged as the primary, acceptable method to combat "police brutality," violence in policing, and/or "out of control" officers, but not the system of policing itself.

Masked as efforts to address state violence in the form of policing, reforms such as the George Floyd Justice in Policing Act and the #8Can'tWait campaign manipulated the momentum, and in some cases, the language of abolitionists to promote reformist strategies in order to adjust isolated aspects of policing while safeguarding policing from being eliminated altogether. Similarly, as abolitionists also began to firmly situate the family policing system within policing and as a carceral system, calls to end family policing all together were met with calls to reform family policing into a more competent yet equally harmful system.

Reforms are ineffective at combating racism and harm in part because they do not intend to, but also because they begin with the wrong presumptions.

Presumably, reforms to the family policing system should address both the system's embedded racism and the harm the system causes to the children and families with whom it intervenes. Yet most do not. From increasing diversity, to providing the workforce with better training, to changing policies and practices, reforms to family policing closely mirror proposals to reform policing. Reforms provide tweaks and adjustments to the day-to-day work of family policing but provide no real long-term solution to end

state harm. Reforms are ineffective at combating racism and harm in part because they do not intend to, but also because they begin with the wrong presumptions. That is, reforms try to answer questions such as "how can family policing work better for children and families?" or "how can social workers separate families in ways that are less harmful?" instead of asking larger questions such as "why do families need to be policed at all, and who decided policing was helpful?"

Abolition demands that we ask better questions that get to the root of the real problems—questions that seek answers that make communities safer and allow people to exist without the threat of state harm.

Building a radically new society where people are fed, housed, and safe from harm, especially state harm, requires that we ask better, or in some cases new, questions and seek answers that are rooted in community, anti-capitalism, autonomy, and liberation.

Abolition is inherently inquisitive and experimental. Many, if not all, of the current systems in the society we find ourselves in were predetermined by people who sought to create a world predicated on exploitation, oppression, and harm. Building a radically new society where people are fed, housed, and safe from harm, especially state harm, requires that we ask better, or in some cases new, questions and seek answers that are rooted in community, anti-capitalism, autonomy, and liberation.

Critical Resistance, prison industrial complex (PIC) abolitionists, proposed questions (and continue to) about policing and prisons that provide a guide of how we take power away from the carceral state and begin to build a world without prisons and policing. Similarly, different questions, yet with the same goal of ending policing—in this case the policing of families—have been posed and continue to be asked by family policing abolitionists. Building on the work of both PIC abolitionists and family policing abolitionists, upEND applied Critical Resitance's tool to a framework focused on ending family policing. The tool or framework is composed of questions to guide our steps to end family policing. The tool also allows us to see reformist reforms clearly for what they are, thus resisting reforms that arise as misleading solutions to the harm of the family policing system.

In the tool, questions are posed as outcomes made possible by the ending of family policing. If we desire to see a society where family policing cannot reach and harm children and families, we can start by asking if the steps we are taking form a society where that outcome is possible. In a world without family policing, children would be respected as autonomous beings. Similarly, families and communities would have the autonomy to be free from state intervention and create their own systems and modes of relationality. When children or families find themselves in need, they would be able to receive support and care that comes without policing. Communities would address harm and heal outside of carceral mechanisms. When the family policing system is the only well funded system through which families can attempt to seek help, teachers, neighbors, and community members are compelled to rely on this system in times of need. In other words, the family policing system is purposely constructed to be perceived as the only legitimate place to turn during conflict or hardship. Seeking to create a society where the legitimacy of the family policing system is completely diminished requires us to build alternative networks for care and support. Questioning the methods and steps we are taking in attempts to end family policing brings forth answers that point us to how we begin to build a better society. This is the work we do together–liberatory work that asks us to dream of and build a better world.

If we desire to see a society where family policing cannot reach and harm children and families, we can start by asking if the steps we are taking form a society where that outcome is possible.

The pushback abolitionists receive is often rooted in the claim that abolition is idealistic or impossible. While it might seem impossible to ask new questions and to build a society we have never seen before, reforms are recycled and repackaged in response to state violence in ways that consistently prove unable to meet their intended goal of reducing state violence. Reforms have been tried repeatedly with little success. It is both idealistic and impossible to believe that reforms will lead to profoundly different systems and even more impossible to believe that reforms will improve the relationship Black communities and other communities of color have with policing. Yet, the "idealists" have produced concrete changes. Abolitionist organizers have and continue to successfully feed communities through mutual aid networks, create political education programs within the confines of prisons, and lead prison rebellions despite state repression. Abolitionist strategies and tactics are successful because they seek and use methods that intend to produce different outcomes. The questions in this tool guide us to choose these strategies–strategies that will lead to the end of family policing. Together, we can leave reform behind and take abolitionists steps to build a better world.

the framework

DOES THE **REFORM**

OR **ABOLITIONIST STEP**

ACHIEVE THIS **OUTCOME** ?

DOES THE REFORM OR ABOLITIONIST STEP ACHIEVE THIS OUTCOME ?

for example

REFORM

providing families with supports that reinforce individual pathology, such as mental health, drug treatment, and parenting classes

Similar to the Family First Prevention Services Act (FFPSA) or other "voluntary" service programs

ABOLITIONIST STEP

repealing policies that require timelines for terminating parental rights

Such as the Adoption and Safe Families Act (ASFA)

OUTCOME

reduce the reach of the family policing system

promote healing for children, families, and/or communities

reduce the prospect of harm caused by family policing

promote child, family, and/or community autonomy

diminish the legitimacy of the family policing system

increase access to direct supports

reduce the power of the family policing system

promote a society where the need for family policing is obsolete

Does providing families with supports that reinforce individual pathology, such as mental health, drug treatment, and parenting classes reduce the reach of the family policing system?

❌ **No.** Programs such as FFPSA expand the reach of the family policing system through the creation of a new service track.

Does providing families with supports that reinforce individual pathology, such as mental health, drug treatment, and parenting classes promote healing for children, families, and/or communities ?

❌ **No.** Compliance, not healing, is promoted by FFPSA.

Does repealing policies that require timelines for terminating parental rights reduce the reach of the family policing system?

✔ **Yes.** Repealing ASFA results in fewer families being permanently severed by the family policing system and facilitates reunification of children with their families.

Does repealing policies that require timelines for terminating parental rights promote healing for children, families, and/or communities ?

? **Maybe,** if coupled with restorative supports for families whose parental rights have been severed.

DOES THE REFORM OR ABOLITIONIST STEP ACHIEVE THIS OUTCOME ?

Does **providing families with supports that reinforce individual pathology, such as mental health, drug treatment, and parenting classes**...

Similar to the Family First Prevention Services Act (FFPSA) or other "voluntary" service programs

reduce the reach of the family policing system?	**No.** Programs such as FFPSA expand the reach of the family policing system through the creation of a new service track.
reduce the prospect of harm caused by family policing?	**No.** FFPSA increases contact with family policing, increasing the chance of harm through further surveillance and/or family separation.
diminish the legitimacy of the family policing system?	**No.** FFPSA relies on the family policing system to deliver services to families and monitor their progress on case plans.
reduce the power of the family policing system?	**No.** FFPSA provides more funding streams to family policing and potentially increases families' contact with the system.
promote healing for children, families, and/or communities?	**No.** Compliance, not healing, is promoted by FFPSA.
promote child, family, and/or community autonomy?	**No.** FFPSA requires families to be surveilled and monitored through a service plan. Families are unable to access services that do not meet a certain evidence threshold as defined by Eurocentric measures of evidence.
increase access to direct supports?	**No.** Families are limited to receiving services deemed to be evidence-based and within certain service categories. Direct financial supports are not provided.
promote a society where the need for family policing is obsolete?	**No.** Programs such as FFPSA reinforce the idea that parents are solely responsible for their involvement with the family police, while the more complex societal factors that truly led to this involvement are ignored and unaddressed.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Does **de-identifying case files before deciding if families should be separated...**

Similar to programs such as "blind removals"

reduce the reach of the family policing system?	✗ **No.** Family separations continue to occur as usual.
reduce the prospect of harm caused by family policing?	✗ **No.** Removing children from their families increases harm to children, families, and communities. Blind removals do not end this practice.
diminish the legitimacy of the family policing system?	✗ **No.** Blind removals allow the system to appear fair and unbiased, furthering the legitimacy of the system.
reduce the power of the family policing system?	✗ **No.** Blind removals allow family policing agents to continue separating families.
promote healing for children, families, and/or communities?	✗ **No.** Family separations cause immense trauma and harm to children, families, and communities
promote child, family, and/or community autonomy?	✗ **No.** Blind removals separate families. Children, families, and communities have no involvement in these decisions.
increase access to direct supports?	✗ **No.** Separating families does not provide access to direct reports, and often increases financial burdens for families.
promote a society where the need for family policing is obsolete?	✗ **No.** Programs such as blind removals reinforce the idea that family separations and the family policing system are essential, needed services for the "protection" of children.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Does **increasing workforce diversity** …

reduce the reach of the family policing system?	✗ **No.** Workforce diversity efforts do not end family separations and often lead to more hires and expanding the system.
reduce the prospect of harm caused by family policing?	✗ **No.** Even workers from diverse backgrounds must use the tools of family policing, including family separations, which cause harm.
diminish the legitimacy of the family policing system?	✗ **No.** Increasing workforce diversity approaches family policing with the idea that it can be improved through minor workforce changes.
reduce the power of the family policing system?	✗ **No.** Increasing diversity among the workforce does not shift power.
promote healing for children, families, and/or communities?	✗ **No.** Research shows that increasing workforce diversity within carceral systems neither reduces harm nor promotes healing.
promote child, family, and/or community autonomy?	✗ **No.** Diversity efforts focus on the composition of the workforce, not children, families, or communities.
increase access to direct supports?	✗ **No.** Increased workforce diversity does nothing to materially benefit impacted children, families, or communities.
promote a society where the need for family policing is obsolete?	✗ **No.** Programs that focus on increasing workforce diversity presume the system is needed and can be improved through minor changes.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Do **automated systems of decision-making that are intended to remove bias**...

Such as predictive analytics or other decision-making tools that employ algorithms

reduce the reach of the family policing system?	✗ **No.** In many cases, algorithms expand the system's reach.
reduce the prospect of harm caused by family policing?	✗ **No.** Algorithms expand surveillance and increase harm.
diminish the legitimacy of the family policing system?	✗ **No.** The use of decision-making tools that employ algorithms allow the system to appear unbiased while continuing to enact harm.
reduce the power of the family policing system?	✗ **No.** The development and testing of automated decision-making tools provides additional funding to family policing systems while also strengthening the power of the system through increased surveillance.
promote healing for children, families, and/or communities?	✗ **No.** The expanded surveillance and interference that results from automated decision-making tools further destroys families and communities.
promote child, family, and/or community autonomy?	✗ **No.** Automated decision-making tools do the opposite by relying on algorithms to make decisions about families without their input.
increase access to direct supports?	✗ **No.** Automated decision-making tools do nothing to materially benefit families. Rather, increased surveillance and the consequence of this surveillance, such as placement on child abuse registries, can limit families' access to direct supports.
promote a society where the need for family policing is obsolete?	✗ **No.** Automated decision-making reinforces a model of individual pathology by presuming that increased surveillance within communities is necessary while doing nothing to address the material conditions that could strengthen communities.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Do laws that aim to reduce the number of children impacted by family policing intervention by increasing or modifying the requirements of family policing systems…

This is seen in the 21st Century Children and Families Act or in efforts to replace "reasonable efforts" with "active efforts."

reduce the reach of the family policing system?	**?** **Maybe.** Laws that shift the requirements of family policing systems may result in fewer family separations or fewer terminations of parental rights; however, the underlying architecture that allows family separations and terminations remains intact and children and families continue to be harmed by these interventions.
reduce the prospect of harm caused by family policing?	✗ **No.** While these acts attempt to change how and when children are separated or parental rights are terminated, most of the system's core functions remain the same.
diminish the legitimacy of the family policing system?	✗ **No.** Acts such as these assume family policing can be improved, while reinforcing the idea that family separations and termination of parental rights are essential tools that cannot be entirely eliminated.
reduce the power of the family policing system?	✗ **No.** The power to separate families and terminate parental rights remains intact.
promote healing for children, families, and/or communities?	✗ **No.** Acts such as these allow family separations and termination of parental rights to continue. No efforts are included in bills such as these to promote healing among the children and families who continue to be impacted by this violence.
promote child, family, and/or community autonomy?	✗ **No.** Family policing remains intact. For example, the 21st Century Children and Families Act specifically relies on the state to demonstrate improvement, implying that the state, not families and communities, is the authority to measure and assess impact.
increase access to direct supports?	✗ **No.** Even though acts such as these may reduce the number of family separations or terminations of parental rights, no provisions are made to improve the material conditions of families and communities who may be "spared" from these interventions.
promote a society where the need for family policing is obsolete?	✗ **No.** Laws such as these presume that family separations and parental terminations remain necessary tools, while doing nothing to provide support to families and communities in ways that could reduce the need for family policing intervention.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Does **repealing policies that require timelines for terminating parental rights...**

Such as the Adoption and Safe Families Act (ASFA)

reduce the reach of the family policing system?	✔	**Yes.** Repealing ASFA results in fewer families being permanently severed by the family policing system and facilitates reunification of children with their families.
reduce the prospect of harm caused by family policing?	✔	**Yes.** Repealing ASFA ends the primary mechanism through which parental rights can be terminated, an act that causes permanent and irreversible harm to children and families.
diminish the legitimacy of the family policing system?	✔	**Yes.** Ending one of the core mechanisms through which the system punishes families demonstrates the harm this mechanism causes, thereby diminishing the system's authority.
reduce the power of the family policing system?	✔	**Yes.** Repealing ASFA significantly reduces the power of the family policing system by eliminating its ability to permanently sever families, a key harm of family policing.
promote healing for children, families, and/or communities?	?	**Maybe,** if coupled with restorative supports for families whose parental rights have been severed.
promote child, family, and/or community autonomy?	?	**Maybe.** Repealing ASFA frees communities from the confines of timelines and involuntary terminations and can create an environment for more holistic responses to supporting families. Additional policies may be required to vest the authority clearly in families and communities and not in so-called helping systems.
increase access to direct supports?	?	**Maybe,** if coupled with restorative material supports for families who have been impacted by termination of parental rights.
promote a society where the need for family policing is obsolete?	✔	**Yes.** Although repealing ASFA does not address the structural and material conditions that lead to family policing intervention, it demonstrates that family policing is fundamentally harmful and cannot simply be reformed or improved.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Does **providing reparations for families impacted by the family policing system...**

reduce the reach of the family policing system?	**?** **Maybe.** If reparations are funded through a divestment in the current system, this could shrink the capacity of the existing system.
reduce the prospect of harm caused by family policing?	✓ **Yes.** Reparations requires the system to admit harm has been done, and to commit to no longer engaging in that harm.
diminish the legitimacy of the family policing system?	✓ **Yes.** Reparations require the system to admit harm has been done, undermining its perception by many as a benevolent helping system.
reduce the power of the family policing system?	✓ **Yes.** Acknowledging harm, ending harm, and repairing harm all reduce the power of family policing.
promote healing for children, families, and/or communities?	✓ **Yes.** Reparations acknowledge harm both materially and structurally.
promote child, family, and/or community autonomy?	**?** **Maybe,** provided that reparations do not come with conditions or other restrictions that limit families' agency.
increase access to direct supports?	✓ **Yes.** Reparations should include direct material supports for families impacted by family policing intervention.
promote a society where the need for family policing is obsolete?	✓ **Yes.** Reparations provide direct material supports for families and communities and end the harmful practices of the family policing system, both promoting a society where family policing is no longer viewed as needed.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Does **ending the use of registries...**

reduce the reach of the family policing system?	✓ **Yes.** Ending registries significantly limits the state's ability to surveil and monitor families.
reduce the prospect of harm caused by family policing?	✓ **Yes.** Ending registries ends the process whereby individuals are "marked" within government systems, which often leads to significant consequences including the loss of employment opportunities.
diminish the legitimacy of the family policing system?	✓ **Yes.** Registries are a key tool of punishment used by the system. Ending the use of registries demonstrates the harm this practice causes, thereby diminishing the legitimacy and authority of the system.
reduce the power of the family policing system?	✓ **Yes.** Ending the use of registries limits the system's power to surveil and punish families.
promote healing for children, families, and/or communities?	? **Maybe.** Registries stigmatize parents. Eliminating registries ends this vehicle of "othering." However, the work of healing from past labeling may take more specific action.
promote child, family, and/or community autonomy?	✓ **Yes.** Registries often restrict parents' movements and abilities to provide for their families.
increase access to direct supports?	? **Maybe.** While ending the use of registries does not directly provide increased supports, ending their use increases access to other avenues of direct support including expanded employment opportunities.
promote a society where the need for family policing is obsolete?	✓ **Yes.** Ending registries demonstrates that the power to surveil and monitor individuals and families, often in perpetuity, does not increase safety.

DOES THE **REFORM** OR **ABOLITIONIST STEP** ACHIEVE THIS **OUTCOME** ?

Does **ending drug testing (and reporting) of mothers, parents, and newborns**....

reduce the reach of the family policing system?

✓ **Yes.** Ending drug testing reduces unnecessary reporting to family policing systems.

reduce the prospect of harm caused by family policing?

✓ **Yes.** Ending drug testing reduces the prospect of harm that results from family policing, which may include the forcible separation of newborns from their parents.

diminish the legitimacy of the family policing system?

✓ **Yes.** Positive drug tests are a key mechanism by which the system maintains its legitimacy by falsely portraying itself as a "protector" of children.

reduce the power of the family policing system?

✓ **Yes.** Ending testing and reporting ends a key mechanism by which the family policing system exercises power and control over families.

promote healing for children, families, and/or communities?

✓ **Yes.** Ending drug testing removes the fear of reporting and may encourage parents to seek help and healing when needed.

promote child, family, and/or community autonomy?

✓ **Yes.** Drug testing new parents violates bodily autonomy, a central component of reproductive justice.

increase access to direct supports?

✗ **No.** While important, ending drug testing does not lead to increased supports. However, ending drug testing can improve patients' trust in doctors, a potential source of direct support.

promote a society where the need for family policing is obsolete?

✓ **Yes.** Ending drug testing demonstrates that not all substance use is harmful and promotes harm reduction rather than the violence of family policing. Ending drug testing also eliminates the fear of harsh punishment for parents seeking help.