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Abolish Family Policing, Too

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The child welfare system is a powerful state policing apparatus that functions to regulate poor and working-class families.

[Dorothy Roberts](#) ■ [Summer 2021](#)



Illustration by Molly Crabapple

This article is one in a series of arguments on the family in our [summer issue](#).

Imagine if there were an arm of the state that sent government agents to invade Black people's homes, kept them under intense and indefinite surveillance, regulated their daily lives, and forcibly separated their families, often permanently. The left would put toppling this regime high on its agenda, right? This racist structure exists in the United States today, and yet the left pays little attention to it. The child welfare system—the assemblage of public and private child protection

agencies, foster care, and preventive services—is a crucial part of the carceral machinery in Black communities. Many Americans view the child welfare system as a benign social service provider that safeguards children from abuse and neglect in their homes. Though it may bungle its responsibilities, they tell themselves, it is an essential safety net for children whose parents are unable to care for them. The left should be contesting, not buying into, this misguided perspective.

The child welfare system is a powerful state policing apparatus that functions to regulate poor and working-class families—especially those that are Black, Latinx, and Indigenous—by wielding the threat of taking their children from them. In 2018 alone, Child Protective Services (CPS) received referrals of nearly 8 million children suspected to be victims of maltreatment. Intake workers weeded out reports regarding 4.3 million of these children as inappropriate for CPS involvement. But the screening process still leaves millions of families subject to state investigation each year.

In cities across the nation, CPS surveillance is concentrated in impoverished Black neighborhoods, where all parents are ruled by the agencies' threatening presence. Fifty-three percent of Black children in America will experience a CPS investigation at some point before their eighteenth birthday. During CPS investigations, caseworkers may inspect every corner of the home, interrogate family members about intimate details of their lives, strip-search children to look for evidence, and collect confidential information from schools, healthcare providers, and social service programs. If caseworkers detect a problem, like drug use, inadequate medical care, or insecure housing, they will coerce families into an onerous regimen of supervision that rarely addresses their needs.

More disruptive still is the forcible family separation that often follows CPS investigations. Every year child welfare agencies take over 250,000 children from their parents and put them in the formal foster care system. At the same time, these agencies informally separate an estimated 250,000 more children from their parents each year based on so-called “safety plans”—arrangements parents are pressured to agree to in lieu of a formal court proceeding. In 2019, the national foster care population stood at 423,997. Hundreds of thousands more children were removed from their homes and kept in foster care at some point during the year. Black children have long been grossly overrepresented in the national foster care population: although they were only 14 percent of children in the United States in 2019, they made up 23 percent of children in foster care. Most of the money spent on child welfare services goes to keeping children away from their families. In 2019, the federal government alone devoted \$8.6 billion to maintaining children in foster care—more than ten times the amount allocated to services aimed at keeping families together.

While President Trump's cruel policy of separating migrant children from their parents at the Mexican border drew national condemnation, hardly anyone on the left connected it to the far more widespread family separation that takes place every day in Black neighborhoods. For centuries, the United States has wielded child removal to terrorize, control, and disintegrate racialized populations—enslaved Africans whose children were considered white people's property and sold away at will, European immigrant children swept up from urban slums by elite charities and put to work on farms, and Indigenous children kidnapped and confined to boarding schools under a federal campaign of tribal decimation. Today's child welfare system still revolves around an ideology that confuses poverty with child neglect and attributes the suffering caused by structural inequities to parental pathologies. It then prescribes useless therapeutic remedies in place of radical social change.

The rhetoric of saving children is a guise to justify expanding the government's power to investigate and regulate communities even beyond what would be permitted by the criminal legal system. Local child welfare agencies collaborate with law enforcement by sharing information, engaging in common trainings, cooperating in investigations, and jointly responding to reports. The prison system and the foster care system converge disproportionately in the lives of incarcerated Black mothers, sometimes ending in termination of their parental rights and the permanent loss of their children.

Although many on the left argue for redistribution of wealth to raise families out of poverty, and for cash assistance, child care, and other welfare programs to help struggling parents, the child welfare system has been largely overlooked. During the uprisings against police violence in summer 2020, I became increasingly concerned that family policing was absent from most demands to defund the police and dismantle the prison-industrial complex. Some activists even recommended transferring money, resources, and authority from police departments to the health and human services agencies that handle child protection. This move would magnify the capacity of these agencies to regulate Black communities. Linking 911 calls to child abuse hotlines would trigger more child maltreatment investigations. Even well-meaning recommendations to deploy social workers to conduct "wellness checks" in homes would increase maltreatment reports, expanding the state's capacity to monitor and separate families.

The abolition of family policing should be at the top of the left's agenda. A growing movement to dismantle the family regulation system led by parents and youth who have been ensnared in it is already charting the way. These activists promote legislation to curtail mandated reporting, guarantee legal representation for parents, and require informed consent for drug testing of pregnant people and their newborns. They advocate for policies that shift government funds away from coercive interventions in families toward putting resources directly in parents' hands. And they are creating community-based approaches to support families and

keep children safe. As with prison abolition, the aim is not to reform the child protection system; the aim is to replace it with a society that attends to children's welfare in a radically different way. With a common vision for meeting human needs and ensuring safety, we can build a world where caging people and tearing families apart are unimaginable.

Dorothy Roberts is a professor of Africana studies, law and sociology at the University of Pennsylvania and author of the forthcoming book *Torn Apart: How the Child Welfare System Destroys Black Families—and How Abolition Can Build a Safer World* (Basic Books, April 2022).

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