

# BUILDING A WORLD WITHOUT FAMILY POLICING

DOROTHY ROBERTS

Dorothy Roberts  
([@DorothyERoberts](#)) is  
the George A. Weiss  
University Professor of Law  
and Sociology at  
the University of  
Pennsylvania.

PUBLISHED 07.17.23

*This post introduces a symposium on Dorothy Roberts's [Torn Apart: How the Child Welfare System Destroys Black Families—and How Abolition Can Build a Safer World](#) and Wendy Bach's [Prosecuting Poverty: Criminalizing Care](#).*

\*\* \*\* \*

Like many abolitionists, I arrived at my stance on the child welfare system after a long intellectual and activist journey. [Torn Apart](#) is the culmination of an extensive investigation into policing Black women, one whose point of departure I can trace to the 1990s. While working on my first book, [Killing the Black Body](#), I began researching the arrests of numerous Black mothers across the country for being pregnant and using crack cocaine. I saw the prosecutions as part of a long legacy of oppressive policies, originating in slavery, that devalued Black women and denied their reproductive freedom. As I focused on the criminal punishment of Black women's childbearing, I discovered a far more widespread repression of Black mothers for prenatal drug use: the forcible removal of their newborns from their custody. I also discovered that, at the time, Black children made up nearly half of the US foster care population, making them four times as likely to be in foster care as white children.

I was floored when I first encountered these statistics and decided to turn my attention to an investigation of the child welfare system. Soon after, while teaching in Chicago, I met a Black mother named Jornell who was fighting to be reunited with her two-year-old son, David. When Jornell became pregnant, she enrolled in a program called Healthy F.I.T., for Healthy Family Intervention Team, based at the hospital where she received prenatal care. Because she was participating in Healthy F.I.T., Jornell was known to the hospital social workers even before David was born. The hospital's surveillance of her mothering led to David's removal from her care for alleged medical neglect, followed by years of relentless supervision by child welfare authorities. "I followed all their recommendations. I went into long-term treatment. I did everything I

was supposed to do—for myself, before the intervention,” Jornell told me. “The intervention was supposed to assist me to be a family. But this is the worst entanglement anybody can become involved in.”

My engagement with Jornell and other Black mothers like her inspired me to take up the struggle against the systematic destruction of Black families as a scholarly and activist project. In the introduction to my next book, *Shattered Bonds*, I stated that we should “finally abolish what we now call child protection and replace it with a system that really promotes children’s welfare.” More than two decades later, in *Torn Apart*, I renew my call to abolish the child welfare system. This time, however, I argue for completely replacing it, not with another reformed state system, but with a radically reimagined way of caring for families and keeping children safe.

After publishing *Shattered Bonds*, I participated in numerous reform efforts to improve foster care, address its racial disparities, and reduce its population. Despite numerous reforms, the system has not changed its punitive ideology or racist impact. Also in the past twenty years, I learned and embraced the principles guiding the prison abolition movement, which came to occupy an increasingly prominent place in the popular consciousness. Organizing by system-impacted parents also grew dramatically, with Black mothers at the forefront. From my vantage point at the intersection of these developments, I came to envision more clearly an abolitionist framework to contest family policing, one that integrates our understanding of police and prisons with the state’s surveillance, control, and demolition of Black families.

The child welfare system has unparalleled powers to terrorize entire communities, shape national policies, and reinforce our unequal social order. In Part I, “Terror,” I tear off the benevolent veneer of family policing to reveal its political reality. Child welfare authorities wield the power to investigate, supervise, and destroy families with stunningly little judicial constraint or public scrutiny. Recent foster care rates for US children, at 576 per 100,000, are about the same as incarceration rates for US adults, at 582 per 100,000. This nation’s terroristic approach to protecting children blames the most marginalized parents for the impact of race, class, and gender inequalities on their children, obscuring those unequal structures and the need to dismantle them. Far from promoting the well-being of children, the state weaponizes children as a way to threaten families, to scapegoat parents for societal harms to their children, and to buttress the racist, patriarchal, and capitalist status quo. “Policing” is the word that captures best what the system does to America’s most disenfranchised families. It subjects them to surveillance, coercion, and punishment. It is a family-policing system.

The facade of benevolence makes most Americans complacent about a colossal government apparatus that spends billions of dollars annually on surveilling families, breaking them apart, and thrusting children into a foster care system known to cause devastating harms. Even when President Trump’s cruel policy of separating migrant children from their parents at the Mexican border drew national condemnation, hardly anyone connected it to the far more widespread family separation that takes place every day in Black neighborhoods. As I witnessed the 2020 uprisings against anti-Black police violence, I became increasingly concerned that family policing was absent from most demands to defund the police. Some activists even recommended transferring money, resources, and authority from police departments to health and human services agencies that handle child protection. These proposals ignored how the family-policing system surveils and represses Black and other marginalized communities in ways like the law enforcement systems condemned by the protesters.

Family policing, like criminal law enforcement and prisons, is designed to serve the US racial capitalist power structure, governed by profit, wealth accumulation, and market competition for the benefit of a wealthy white elite, by regulating and disrupting the most disenfranchised populations

in place of meeting human needs. Family policing targets Black families and relies on racist beliefs about Black family dysfunction to justify its terror. Regulating and destroying Black families—in addition to Latinx, Indigenous, and other impoverished families—in the name of child protection has been essential to the [“ongoing white supremacist nation building project.”](#) to quote Mariame Kaba, as much as prisons and police. Like the prison system, the family-policing system frays social bonds and strains the ability of community members to resist oppression and organize politically.

In Part II, “Design,” I show that the family-policing system terrorizes Black families because that’s what it is designed to do. By tracing the history of family policing to the sale of enslaved African family members, the apprenticeship of emancipated Black children to former enslavers, the systematic displacement of Native children to white-dominated boarding schools and white adoptive families, and the servitude of impoverished European immigrant children, I show that today’s system is rooted in white supremacist, capitalist, and patriarchal logics. Family policing, though taking various historical forms, has always served to subjugate the most politically marginalized groups and to maintain an unjust political structure in the name of saving children.

But family policing does not merely resemble or aim at the same ends as criminal law enforcement. Rather, as I show in Part III, “The Carceral Web,” there is a symbiotic relationship between family policing and criminal law enforcement. I lay out the multiple ways the child welfare system is deeply entangled with cops, criminal courts, and prisons, forming an integrated arm of a cohesive carceral regime. State CPS authorities increasingly use modern surveillance technologies and coordinate with law enforcement agencies to manage regulated populations more efficiently. I also demonstrate that the child welfare system is structured to cause devastating injuries to the children it separates from their families and to criminalize Black children.

Given its foundational logic, which is centered on threatening politically marginalized families with child removal, the system has absorbed efforts to mitigate its flaws and has continued reproducing its benevolent terror. In Part IV, Abolition, I argue that the family-policing system can’t be fixed. It must be abolished. We need a paradigm shift in the state’s relationship to families—a complete end to family policing by dismantling the current system and reimagining the very meaning of child welfare.

Many people still ask, “But how will we protect children from abuse without child protection services?” Abolishing family policing does not mean ignoring children experiencing deprivation and violence. To the contrary, abolition means imagining and creating ways of meeting families’ needs and preventing family violence that do not inflict the damage caused by tearing families apart. Family policing is a barrier to galvanizing the radical change and revolutionary care required to keep children safe and thriving. Ending it is the best way—the only way—to ensure the well-being of children and their families.

A small but dynamic movement to abolish the family-policing system and radically transform child welfare is gaining momentum. Ignited by Black mothers who have been separated from their children, this burgeoning movement rests on a long tradition of resistance against state destruction of families and includes former foster youth, social justice activists, [legal services providers](#), nonprofit organizations, and [scholars](#). Our goal is incrementally to strip the system of its power over families while we create better ways of caring for children, meeting families’ needs, and preventing domestic violence. Ultimately, movements to abolish different parts of the carceral state are building the same world—a world where all children are safe and cared for without the need for police, prisons, and family separation.

SHARE

EMAIL

FACEBOOK

TWITTER

PRINT

POCKET

Dorothy Roberts  
([@DorothyERoberts](#)) is  
the George A. Weiss  
University Professor of Law  
and Sociology at  
the University of  
Pennsylvania.

[BACK TO THE BLOG HOMEPAGE](#)