

SPECIAL REPORT

U.S. NEWS

For Black families in Phoenix, child welfare investigations are a constant threat

One in three Black children in Maricopa County, Arizona, faced a child welfare investigation over a five-year period, leaving many families in a state of dread. Some parents are pushing back.

🔊 TAP TO UNMUTE

Black families in Arizona disproportionately investigated by CPS



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By Eli Hager, ProPublica, Agnel Philip, ProPublica and Hannah Rappleye

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PHOENIX — In 2015, Nydea Richards decided to move her family to the nation's fastest-growing metropolitan area, in search of lower crime and better weather than in her hometown of Milwaukee. She was pregnant at the time.

Before arriving here, Richards, like most Americans, never thought of child protective services as having a major presence in people's lives, unless they've committed some sort of clear-cut child abuse. As a Black mother, she was more concerned about her kids encountering the police someday.

But within months, she found herself being investigated by the Arizona Department of Child Safety (DCS) – based on the initial result of a drug test administered to her newborn daughter at the hospital, according to DCS case records she shared with ProPublica and NBC News.



— Nydea Richards with three of her children in Phoenix.

Stephanie Mei-Ling for NBC News and ProPublica

It is not hospital policy to test for drugs after all births, but staff told her that she and her child were being screened because she was from out of town, she said. Richards, who tested negative for substances herself, believes the reason was the color of her skin.

DCS then prohibited her from being alone with her baby for five days while a caseworker interrogated her about her marital status, whether she received food stamps and how she

usually handles stress, the records show. The investigator also inspected her other six children's bodies and questioned them for hours about their chores, their meals, their mom's employment and more.

Then, the department learned that there had been a false positive on the test and deemed the case unfounded, according to the records.

"They never explained or apologized," Richards said.

Just months later, Richards, a case manager for a behavioral health care company, was investigated again, when she sought medical care after her daughter fell off a couch. That allegation of child maltreatment, too, was unfounded, according to a DCS spokesperson.

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— Richards’ daughter at the family’s apartment. Stephanie Mei-Ling for NBC News and ProPublica

The department declined to comment further on the two cases.

Richards now feels intense dread when any of her children have even a minor injury or come down sick, fearing that DCS will show up again if she takes them to the doctor.

And in the years since her own experiences with Arizona’s child welfare system, she said, two of her family members in Phoenix, as well as a neighbor and a client at her job, have also endured these investigations of their parenting. All of them are Black.

From 2015 to 2019, the last full year of federal child welfare statistics available before the pandemic, DCS investigated the family lives of 1 of every 3 Black children in Maricopa County, the state’s most populous county and home to Phoenix, according to an [analysis by ProPublica and NBC News](#) of data obtained from the National Data Archive on Child Abuse and Neglect.

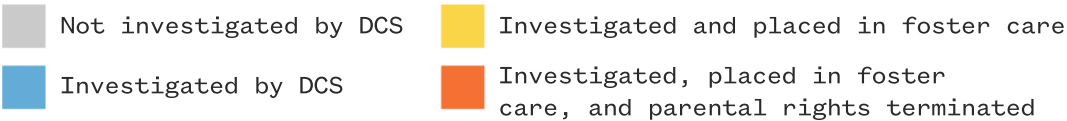
Last year, a [study published by the National Academy of Sciences](#) used similar data to project that by the time Black children in Maricopa County turn 18, there’s a 63% chance that they will see their parents investigated by child services, the highest rate of any of the 20 largest counties in the nation.

Put another way, more Black children in metro Phoenix will go through a child maltreatment investigation than won’t.

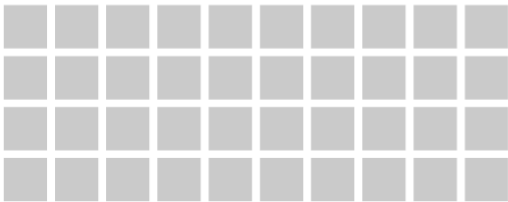
That’s significantly more likely than [a Black teen being stopped by the police](#) – an issue that has gained far more attention in recent years – according to multiple studies and interviews with criminal justice data experts.

Unequal scrutiny

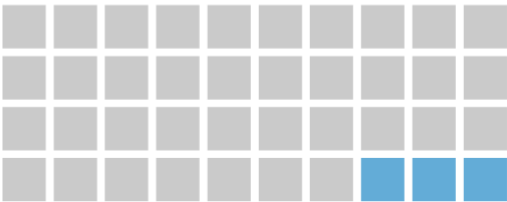
Black children in Maricopa County, Arizona, are more likely than white children to face a DCS investigation by age 18.

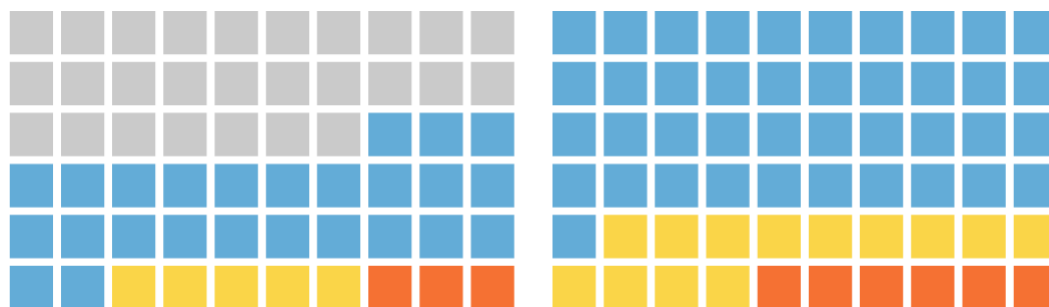
Investigated by DCS

For every 100 white children in Maricopa County...



For every 100 Black children in Maricopa County...





Source: Edwards et al., “Contact with Child Protective Services is pervasive but unequally distributed by race and ethnicity in large US counties”

Graphic: Alex Ford / NBC News

Over the past year, ProPublica and NBC News have interviewed more than 30 Black parents across the Phoenix region who’ve faced a child welfare case, as well as several of their children and an additional nine teenagers who experienced DCS investigations.

Some of the parents were working single dads or moms, like Richards, many of them living in the historically Black neighborhood of South Phoenix. Some were middle-class couples in the cactus-lined gated communities that dot suburbs like Mesa and Glendale. Some were adoptive parents, or extended family members caring for a child.

Almost all described a system so omnipresent among Black families that it has created a kind of communitywide dread: of that next knock on the door, of that next [warrantless search of their home](#). And many expressed disbelief that it was so easy for the state government to enter their family realm and potentially remove their kids from them.

Black families and their advocates said DCS’ ubiquity does not just take the form of unnecessary investigations in which racial bias may have played a role, as Richards believed happened in her case. It’s also a product, in some cases, of public policy choices in Arizona that take a punitive rather than preventative approach toward Black parents, many of whom are struggling under the legacy of racism, a lack of inherited wealth and a slashed social safety net.

The state – the last in the nation to recognize Martin Luther King Jr. Day as a holiday, in 1992 – spends a majority of its welfare budget on [DCS investigations rather than on direct assistance](#) to families in need, as ProPublica reported last year.

These priorities are borne out in the data.

Only 2% of children in Maricopa County whose families were accused of child maltreatment from 2015 to 2019 were ultimately determined or suspected by caseworkers to be victims of any

form of physical or sexual abuse following an investigation, one of the lowest rates among large counties in the U.S.

But 15% allegedly experienced neglect, a term encompassing parenting problems typically associated with poverty, including a lack of decent housing, child care, food, clothing, medical care or mental health treatment. The category also includes alcohol and drug use, which numerous studies have found are more policed but no more common among Black or low-income people than other groups.

Roughly 20% of Black people in Maricopa County are living below the poverty line, compared to about 13% of all county residents, though having money should not be thought of as a requirement for good parenting, family advocates said.



— South Phoenix, a historically Black neighborhood in the city. Many Black families first moved there as a result of redlining and racial covenants that blocked them from renting or owning property elsewhere.

Stephanie Mei-Ling for NBC News and ProPublica

In an interview, the director of DCS, Mike Faust, said the data used for this article is based on a stretch of time, 2015 through 2019, that [began with a caseload crisis](#) for the department. Over that period, he said, the agency made sweeping changes, including improving its intake and risk assessment tools in order to reduce subjective decision-making and unnecessary investigations.

“We’ve gone from what I think most people would describe as the worst-performing child protection agency in the country to one that – I don’t know if you’ll ever have a high-performer child protection agency, given the nature of the work we do – but it’s drastically different,” said Faust, who is white and has led the agency since 2019.

Yet the most recent available federal data through September 2020 shows that while it is true that DCS has reduced the overall number of families it looks into statewide, the decline did not improve – and in fact worsened – the racial disparity.

Although 7,400 fewer white children were the subject of investigations completed from the 2016 to 2020 fiscal years, the number of Black kids whose parents were investigated dropped by less than 100. (Some children did not have a race identified.)

“It didn’t have an immediate impact on just African American children,” Faust acknowledged. “The commitment that I make is to continue to stay engaged as an organization. And trust me, these are some challenging conversations to be in. It’s been difficult. But you’ve got to keep coming back to the table regardless of, at times, that people share that raw emotion.”

Faust, a conservative Republican with a private-sector background, may be out of a job by next spring. The election last month of Katie Hobbs, a Democrat, as Arizona governor likely means that DCS will have a new leader and possibly a new approach to racial disproportionality in the coming years.

In a statement, Joe Wolf, a spokesperson for Hobbs’ transition, pointed out that her career has included stints working with homeless youth and helping to run one of the largest domestic violence shelters in the country, giving her perspective on what affects Arizona’s most vulnerable. Wolf also said that as the governor-elect prepares to take office, her team is developing plans to improve the way the state provides social services, including “addressing the racial disparities that have plagued the system for so long.”

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Still, Black community leaders in Phoenix continue to have concerns, saying that it has been challenging to effectively advocate for reforms across both Republican and Democratic administrations.

For one thing, the metro area's Black community – just 7% of its population – is sparse and spread out compared to that of similarly large U.S. cities. That makes it hard to organize around this common experience to make DCS a pressing political issue and hold its officials accountable.

What's more, sharing that you were investigated by child services remains more stigmatizing in many families than saying you've been stopped by the police.

As a result, some local leaders said it took them a while to realize just how pervasive DCS' presence is.

Janelle Wood, founder and president/CEO of Phoenix's Black Mothers Forum, said that when she started her community organization in 2016, she thought its members would mainly be focused on police violence and the criminalization of Black youth, which they have been to an extent. "But what kept coming up at meetings was DCS," she said, noting that the confidentiality of the gatherings allowed for these conversations. "The most heart-wrenching stories – so many mothers had them."

Kenneth Smith, principal of a Phoenix alternative high school and a community organizer who works with the local chapter of the NAACP and a group of nonprofits in the city, said he doesn't usually talk about this issue openly due to the stigma, even though he knows of several people who've had DCS cases.

The statistics identified by ProPublica and NBC News, he said, are “like turning on the lights, and all of us are now standing in the room together saying, ‘What? You too?’”

'It becomes a generational curse'

This year, ProPublica and NBC News [have been investigating child welfare in the U.S.](#)

What reporters have found is that child protective services agencies investigate the home lives of roughly 3.5 million American children each year, opening refrigerators and closets and searching kids' bodies in almost every case. Yet they determine there was physical or sexual abuse in only about 5% of these investigations.

And while Phoenix is an outlier, the racial disproportionality of this system is a national problem.

In Maricopa County, Black children experienced child welfare investigations at one of the highest rates among large counties nationally, and nearly three times the rate of their white peers, from 2015 to 2019.

But throughout the country, investigations were more pervasive among Black families. And in many smaller counties, the rates were even higher than in the Phoenix area.

Matthew Stewart, the son of the longtime senior pastor of Phoenix's most prominent Black church, First Institutional Baptist, joined DCS as a case manager in 2009. He did so in part because he had an interest in social justice and youth mentorship from his upbringing.

But in 2018, Stewart, by then a training supervisor, came across an internal agency spreadsheet showing a large racial disparity in Arizona's foster care population, which mainly consists of children removed from their families following investigations. He hadn't fully absorbed the problem until then.

He was flooded with shame.

Stewart quit two years later, after deciding he couldn't achieve meaningful change from within the department. He has since founded a community organization, Our Sister Our Brother, which advocates helping families rather than separating them.

Generational poverty and the resulting trauma within families have been "centuries in the making," he said. Are parents supposed to believe that after DCS takes custody of their children, "these things will be solved?"

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"I simply don't think DCS is the agency to do this," he said.

One of the parents whom Stewart has partnered with is Tyra Smith, of nearby Mesa, who now works for his growing group as a parent advocate.



— Tyra Smith with four of her sons at their apartment complex in suburban Mesa, Arizona.

Stephanie Mei-Ling for NBC News and ProPublica

In 2020, Smith left her four sons (triplets who were 7 as well as a 4-year-old) in her apartment for roughly 20 minutes, according to a case report. She said she was going for a walk to calm down after a heated argument by phone with her sister, who then called the police on her.

While she was away, a police officer arrived and called DCS because she wasn't there. Responding to her alleged lack of supervision and her growing anger about the ensuing encounter, the department removed all of her boys that night, agency records show.

As often happens in the child protection system, this temporary removal led to a broader DCS inquiry into Smith's mental health history, her troubled relationship with her ex, her marijuana use (which is legal in Arizona) and the tidiness of her home, records show. Based on these concerns, the department kept custody of the boys for a year and a half before returning them.

Smith said that when she was growing up, her own mother underwent such an investigation, and that several of her friends from school, all Black, have since endured one as new parents.

Now, she worries about her sons getting arrested or shot when they are older; when that happens to Black men, she pointed out, the news reports often say, “Oh, their childhood, they were ‘in the system.’”

“It becomes a generational curse,” Smith said.



— Smith kisses her son in their living room. Stephanie Mei-Ling for NBC News and ProPublica

ProPublica and NBC News presented DCS spokesperson Darren DaRonco with the names and anecdotes of the families described in this article, and he checked with agency leadership and case records and said that all of them were indeed investigated and that there was nothing inaccurate in their recounting of events. [Arizona law](#), he noted, would allow him to clarify or correct anything that is factually wrong.

In interviews, Katherine Guffey, executive consultant to DCS' director, pointed to additional steps that their team has taken to address the disproportionality issue, especially since the racial justice movement following the murder of George Floyd by a Minneapolis police officer in 2020.

The department, said Guffey, who is white, has been incorporating the feedback of Black employees who formed a disparity committee, including Stewart before he left, helping them to write a charter and create an action plan. Staff have also taken part in a [workshop on the systemic causes of racial inequity](#), as well as an empathy training developed by Arizona State University professors.

Earlier this year, DCS helped convene a confidential two-hour focus group of a dozen Black people to hear how the department's frequent involvement with families has affected them. The child welfare consulting firm Casey Family Programs has been brought in to hold continuing discussions.

And the agency plans to start a [Cultural Brokers program](#) to ensure that a trusted community member of the same race is present upon parents' contact with caseworkers.

Critics say that while these are positive moves, no proposals have been made that would rein in the fundamental power of this agency, which has a billion-dollar budget, to remove children from their loved ones.



— Smith's son rides a bike at their apartment complex. Stephanie Mei-Ling for NBC News and ProPublica

As Stewart put it, “We have a culture that says Black families need to be watched and if we don’t agree with the things that are going on with them, we are the saviors of these children and are charged with punishing their parents.”

Until that fundamental outlook of the child welfare system changes, he said, some of the well-intended steps being taken may amount to just restating or even perpetuating the problem.

Is this just Arizona?

Arizona was a Confederate territory, whose early leaders had business ties to and a sense of common cause with the slave states of the Deep South. Its first major wave of Black residents

were largely recruited to the Phoenix area from Louisiana, Texas, Arkansas and Oklahoma starting in the 1910s and '20s, to work in cotton camps.

These families were soon forced to live in South Phoenix via redlining and racial covenants, which blocked them from renting or owning property anywhere else.

Yet despite the injustice of residential segregation, said Rod Grimes, a scholar of Arizona Black history, it did create a sense of Black density in a town that still had few Black people. Once families were able to move, many heading to the suburbs, he said, some of that strength in numbers fell away.

Today, Black residents of metro Phoenix are geographically and therefore politically diffuse. Without either the powerful voting blocs that exist in some parts of the South or the sense of protection of living in a majority-Black urban neighborhood elsewhere, they are more likely to be surrounded by white neighbors, teachers and health care workers whom they fear could call DCS on them, many said in interviews. They are also less likely to have the legislative representation that could conduct oversight of the department or fight for better social services to help prevent child welfare cases.

Even after the November election, Arizona has just two Black state legislators out of 90 – the same number as in 1950.

The result, said Clottee Hammons, an Arizona history expert and the creative director of [Emancipation Arts](#), is a business-oriented white leadership class whom she and other Black Arizonans feel cannot relate to what it is like to raise a Black child, let alone on a low income.

Due to this experiential gap in the halls of power, critics say, the state Legislature rarely addresses concerns specific to Black families, instead focusing on topics of interest to many white voters, like school choice and border security.

Nor have lawmakers created a well-funded, easily accessible statewide system that parents living in poverty (as well as mandated reporters of child neglect, like teachers) can call to get help. Many other states have invested heavily in such services, but in Arizona the main option is to call DCS, which comes with the possibility of family separation attached.

In a statement, DaRonco, the department spokesperson, said of the parents and community members making this criticism, “We share their desire to reduce DCS presence in their homes by creating access to community-based supports that get them what they need without the stress of a DCS encounter.”

Once DCS is involved, the emphasis is on child safety and possibly child removal rather than addressing problems at their root, as reflected in the agency's funding structure. In fiscal year 2022, the department spent roughly \$90 million on group homes and other congregate facilities for foster youth, \$99 million on foster care and \$278 million on adoptions, compared to just \$15 million on prevention efforts and \$29 million on in-home services for families themselves.

DaRonco noted that top-line decisions about how DCS spends its funding are made by the Legislature, not the department. He added that the budget includes additional subsidies for parenting programs and substance use treatment, which can lead to family reunification.

Much of the foster care and adoption money comes from the federal government [in the form of annual incentives](#).

"I'm just telling you, people in the community feel like their babies are being sold and trafficked – that's how easy it feels, and how profitable," said Roy Dawson, executive director of the nonprofit Arizona Center for African American Resources and a leading Phoenix advocate for racial equity in the child welfare system.

Dawson also said that all the well-meaning foster care nonprofits in Arizona, which exist in part because there is so much funding available for foster care in the state, help perpetuate the system's vast size and reach.

It's unclear whether the election of Hobbs as governor will translate into a realignment of budget priorities at DCS, let alone a shift in the anti-poverty agenda at the Legislature, where Republicans continue to hold a majority.

Many families and experts were also skeptical about the possibility of change because of the agency's [long history](#) of claiming to address its [problems with race](#) without [making much progress](#).

"I can say with certainty that many DCS and previous CPS administrations have seen this information and been aware of it," Guffey acknowledged, referring to the former name of the department.



— Dana Burns, left, with Tierra, whom Burns has raised as her daughter, at a park near their home in Phoenix. Stephanie Mei-Ling for NBC News and ProPublica

Dana Burns, a mom, musician and founder of the child welfare advocacy organization A Permanent Voice Foundation in South Phoenix, says that DCS' pervasiveness in the community feels of a piece with a larger anti-Black attitude that she and other parents face in this state, from officials and neighbors alike.

"It's Arizona," she said. "It's an attitude that we were never supposed to be here."

A white idea of family

For many of the Black families who spoke with ProPublica and NBC News, their first interaction with DCS was when an unfamiliar caseworker arrived at their door.

Department data show that its frontline staff are most often white and disproportionately in their 20s, which reflects national trends. Many said in interviews that this was their first or second job out of college, and a large proportion do not have children themselves. Turnover at the agency has also been [notoriously high](#), further lowering the average experience level.

As a result, the typical scenario is a white person with little or no parenting experience entering a Black home and having minimal time, by the nature of the job, to make a judgment as to whether what is going on there is dangerous for kids.



— Tressie King and her husband, Jamel, along with their adoptive son.

Stephanie Mei-Ling for NBC News and ProPublica

“It felt like we were on display, like they had a white glove on checking everything. And I had to smile and say good morning,” said Tressie King, who lives with her husband Jamel and their 13-year-old adoptive son in the suburb of Chandler. (King was accused of briefly leaving her child, who is autistic, unattended in her car while she ran in to a store, an allegation that case documents show was ruled unfounded but only after several inspections of their home.)

“It felt like they were checking *me* out, not my child,” she said. “I said if I am being made to feel ashamed, how is that good for the kid?”

Many Black parents also said that if they get combative, precisely because the most precious thing in their life may be about to be taken from them, their anger is too often interpreted as a potential threat.



— King, right, plays a matching card game with her husband, Jamel, and their adoptive son at the family's home in Chandler, Arizona. Stephanie Mei-Ling for NBC News and ProPublica

Sarah Encarnacion, a DCS child safety specialist from 2019 to 2021, said her goal was always to keep families together and for them to feel she was a trusted presence. But she acknowledged that as “a small, petite white woman,” she was “responsible for preparing and educating myself on how to enter this home where I’m such a foreign entity.”

DaRonco, the spokesperson, said that DCS has several initiatives to “change the power dynamic” between its staff and the families they work with. These include holding “team decision making” meetings near the beginning of an investigation, so that parents – and any friends, neighbors, teachers, clergy or others they want with them in the room – can have more of a say in the process.

There are also differences in cultural attitudes toward corporal punishment, which is **more common on average** in Black families. Many Black parents and children interviewed for this article distinguished between what they called a whooping and abuse, with some parents saying they would rather spank a child, which is legal in Arizona, than risk the child getting out of line and experiencing something far worse at the hands of a police officer.

“Nine times out of 10, parents raise their kids how their parents raised them,” said Richards, the Phoenix mother accused at the hospital, who has since become an advocate around the child welfare issue. “If the state is not agreeing with that way of raising kids, the solution is just to take the children every time? Every generation?”



— Richards' son looking at his family portrait wall. Stephanie Mei-Ling for NBC News and ProPublica

Richards and many others said DCS' prevalence can eventually cause insidious damage to relationships between Black parents and their children, who sometimes threaten to call DCS on each other when they're in normal family disputes.

"That's messed up," she said, but the agency has become "so much a part of our lives that it's a real thing to say."

In part because of her struggles with the child welfare system, Richards said that she and her family are planning to relocate again, likely leaving Arizona next year.

Eli Hager and Hannah Rappleye reported from Phoenix. Agnel Philip reported from New York.

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