

The Path to Racial Equity in Child Welfare:

**VALUING
FAMILY AND
COMMUNITY**

**POLICY SUMMIT
CO-SPONSORED BY**

**ALLIANCE
for CHILDREN'S
RIGHTS**



**Children's Law Center
of California**

Los Angeles Dependency Lawyers Inc.

UCLA

Pritzker Center
For Strengthening Children and Families

**20
21**

PROJECT SUMMARY



The child welfare system is intended to be one of the final social safety nets to support children and families in crisis—a last resort after other supports and services have failed to prevent maltreatment.

However, despite the best efforts of reformers and practitioners, the racism and bias embedded in the system from its founding have led to rigid policies that are often more focused on compliance and surveillance than healing and support. Eliminating the racial disproportionality and disparities¹ in child welfare requires an examination of how Black, Native American, and Latino² families in California come to the attention of the system; the policies and practices that lead to family separation; the treatment of children and families in foster care; and the ways that permanency and reunification are achieved and supported.

During the summer of 2020, amidst the nationwide uprising against police brutality and systemic racism, the Alliance for Children's Rights launched an initiative focused on addressing the racial inequities in child welfare. Since then, we have collaborated with advocates, court officers, child welfare agency staff, service providers, and people directly impacted by the system to develop and refine recommendations for building an equitable, just, and family-centered system. The objectives of these recommendations—this blueprint for reform—are as follows:

Value family and community through prevention strategies aimed at averting maltreatment and halting all unnecessary separations of children and parents.

Address the power imbalance between families and the child welfare system.

Empower the family network and connect youth to their community if and when removing a child from their home is necessary and appropriate.

Prioritize family- and community-centered pathways to reunification.

¹ Asian American and Pacific Islander (AAPI) children are significantly underrepresented among children in foster care. In California, for example, AAPI children comprise 13 percent of all children but less than two percent of children in care. This underrepresentation does not necessarily mean that children in these communities are less likely to experience abuse and neglect. Rather, they may be less likely to come to the attention of the system because of cultural norms around government intervention and aid, language accessibility, and lack of engagement by child welfare professionals and other social service providers, among other issues. While the question of the underrepresentation of AAPI children in foster care is beyond the scope of this project, it deserves greater focus in conversations about reform.

² When referring to the communities that are overrepresented in the child welfare system, this report follows the guidance of the most recent edition of the Associated Press Stylebook.

This report will be accompanied by a statewide advocacy campaign—Whole Families/Whole Communities—dedicated to transforming this blueprint into reality. None of this work would be possible without the activism and advocacy of Black, Native American, and Latino communities who have been and continue to be disproportionately harmed by the child welfare system. The Whole Families/Whole Communities campaign aims to create opportunities for those most impacted by the system to drive policy reform and ensure mutual accountability among system stakeholders and partners. Together, we and our partners envision a future where all families have equitable access to services and supports regardless of their socioeconomic background, race, or ethnicity. As a result, no child will be at greater risk of entering or aging out of foster care based on these characteristics.

BACKGROUND

BEGINNINGS OF RACIAL DISPROPORTIONALITY AND DISPARITIES



The racial inequities in child welfare have roots in the practices of nineteenth-century orphanages. Mostly private institutions run by religious groups, orphanages provided shelter, food, and education to the children of deceased parents or parents unable to adequately care for their children, usually because they were poor.³

As Dr. Jessica Pryce explained in a 2020 virtual lecture series hosted by the UCLA Pritzker Center for Strengthening Children and Families, child welfare had a “dual-track delivery system” from the very beginning.⁴ In both the Southern and Northern United States, White children and Black children were placed in separate facilities, and the services and resources offered in orphanages for the latter group were generally of substandard quality. Further, because most cities and states had relatively few Black orphanages (if any), many needy Black children ended up on the streets or in almshouses, which were notoriously run-down shelters for the poor, the elderly, and those suffering from mental illness.⁵

Native American children also experienced racism in the nascent child welfare system of the nineteenth century. Beginning in 1860, the federal Bureau of Indian Affairs established boarding schools on tribal reservations with the goal of assimilating Native youth into

mainstream White American society. Students were forced—frequently under the threat of physical punishment—to shun their traditional languages, customs, and beliefs.⁶

In the 1880s, the federal government adopted a more aggressive assimilationist approach by removing Native children from their homes and sending them to boarding schools and orphanages outside of tribal lands. Perhaps the most well-known of these institutions was the Carlisle Indian Industrial School in Carlisle, Pennsylvania. The school’s founder, U.S. Army Captain Richard Henry Pratt, stated that his mission was to “kill the Indian...and save the man.”⁶

At Carlisle and other schools, students were essentially cut off from their families and communities. According to journalist Mary Annette Pember, when boarding school students died of disease, malnutrition, or other causes, they were sometimes buried in unmarked graves without their parents’ knowledge.⁸ It was not until the passage of the Indian Child Welfare Act of 1978 (discussed later) that Native families were granted the right to prevent their children from being placed in off-reservation schools.

³ Minnesota Dept. of Human Services, “Role of Orphanages in Child Welfare.”

⁴ Pryce, “Eradicating Racism and Bias in Foster Care/Child Welfare.”

⁵ Roberts, *Shattered Bonds*.

⁶ Crofoot and Harris, “An Indian Child Welfare Perspective,” 1668.

⁷ Ibid.

⁸ Pember, “Death by Civilization.”

EARLY FEDERAL CHILD WELFARE POLICIES

The federal government began to take a more prominent role in child welfare policy at the turn of the twentieth century.

Decrying the institutionalization of children, the attendees of the 1909 White House Conference on the Care of Dependent Children declared that “children should not be removed from their families except for urgent and compelling reasons, and destitution was not one of those reasons.”⁹ As public opinion turned against the practice of housing children in orphanages, nearly every state instituted a “mothers’ pension” for widows and single mothers living in poverty.

The Social Security Act of 1935 incorporated the mothers’ pension into federal statute with the creation of the Aid to Dependent Children program (later renamed Aid to Families with Dependent Children [AFDC]). With tacit federal approval, state child welfare agencies systematically deprived Black families of AFDC benefits and services, particularly in the Jim Crow South. States instituted policies that “arbitrarily denied [AFDC] benefits to African Americans because their homes were seen as immoral, men other than biological fathers were identified by workers as assuming care of the recipients’ children, the worker believed a man was living in the home, and/or the mother had children born out-of-wedlock.”¹⁰

In the early 1960s, under growing pressure from civil rights organizations, the federal Department of Health, Education, and Welfare (HEW) amended AFDC to address discriminatory practices. The impetus for these reforms was the so-called Louisiana Incident. In 1960, Louisiana removed 23,000 children—most of them Black—from its state welfare rolls because households with unmarried parents were deemed “unsuitable.” In the aftermath of the Louisiana Incident, HEW instituted the “Flemming Rule.” Named after HEW secretary Arthur Flemming, this rule barred states from denying welfare benefits to families based

on their parents’ marital status. The reforms that grew out of the Flemming Rule also offered financial incentives to states to remove children from “abusive” or “neglectful” households and provide benefits and services to foster caregivers rather than offer the same to families in the home.¹¹

The laws passed following the Louisiana incident and the institution of the Flemming Rule laid the foundation for the punitive child welfare policies that disproportionately harm children and families of color today. After denying services to Black families for decades, public child welfare agencies began increasing their surveillance and punishment of this same population. Based on the 1962 Public Welfare Amendments, child welfare agencies were now required to refer “neglectful” parents to the court system. Since parents of color (particularly Black and Native American parents) experienced poverty at higher rates than their White counterparts, they were more likely to be judged neglectful and ultimately have their children placed in out-of-home care.¹²

In 1962, pediatrician C. Henry Kempe introduced the world to battered-child syndrome, “a clinical condition in young children who have received serious physical abuse, generally from a parent or foster parent.”¹³ According to Dr. Kempe and his colleagues, the syndrome could cause permanent disability or death. This claim sparked nationwide concern about child abuse, and at a meeting convened by the Children’s Bureau that same year, Kempe and other advocates “recommended state legislation requiring doctors to report suspicions of abuse to police or child welfare.”¹⁴ By 1967, all 50 states passed some form of mandatory reporting law.¹⁵ Coupled with mandatory reporting, the new focus on abuse and neglect led to a marked increase in the foster care population.

⁹ Crenson, *Building the Invisible Orphanage*, 15.

¹⁰ Lawrence-Webb, “African American Children in the Modern Child Welfare System,” 11.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Kempe et al., “The Battered-Child Syndrome,” 23.

¹⁴ Myers, “History of Child Protection,” 456.

¹⁵ Brown and Gallagher, “Mandatory Reporting of Abuse.”

THE MODERN ERA OF CHILD WELFARE REFORM

As the number of out-of-home placements jumped in the late '60s and early '70s, calls for child welfare reform grew louder.

In the landmark 1972 book *Children of the Storm*, Andrew Billingsley and Jeanne M. Giovannoni argued that state agencies were not only removing Black children from their homes unjustly, but also denying them much-needed services. The authors recommended that Black communities be empowered to care for their own children without state intervention.¹⁶ To the dismay of Billingsley, Giovannoni, and many others, the post-civil rights era saw the government expand the reach of the child welfare system in new and concerning ways.

Over the next few decades, the federal and state governments adopted well-meaning policy priorities—protecting children, expediting permanency, funding foster families, supporting adoption—that allowed racial disproportionality and disparities to either grow or persist. First, the Child Abuse Prevention and Treatment Act of 1974 (CAPTA) created a federal mandate for state mandatory reporting laws and introduced new definitions of abuse and neglect. Between 1974 and 1980, in the wake of CAPTA's passage, maltreatment reports nationwide grew from 60,000 to 1.1 million;¹⁷ entries into foster care surged as well.

Concerned about the growth of the national foster care population and the increase in lengths of stay in care, Congress passed the Adoption Assistance and Child Welfare Act of 1980 (AACWA). AACWA “required states to make ‘reasonable efforts’ to avoid removing children from maltreating parents” and to reunite children with parents in removal cases.¹⁸ In addition, children in foster care now needed a “permanency plan” for reunification or termination of parental rights. The law also incentivized adoption by providing financial

support to adoptive parents.

While the number of children in care and time spent in care dipped for a few years after AACWA's passage, these indicators shot up again during the crack cocaine and HIV epidemics of the '80s and '90s, both of which devastated many Black communities.¹⁹ Amidst these public health crises and an economic downturn, the foster care population grew from 280,000 in 1986 to nearly 500,000 in 1995.²⁰ And between 1986 and 2002, the proportion of Black children entering foster care jumped from about 25 percent to 42 percent.²¹

The Adoption and Safe Families Act of 1997 (ASFA) built on the permanency planning focus of AACWA by establishing strict timelines for terminating parental rights and incentivizing adoption through direct payments to states.²² The strategies at the core of ASFA, and subsequent legislation such as the Fostering Connections Act of 2008 (FCA), aimed to move children out of the system more quickly and were ultimately successful in doing so. After peaking at 567,000 in 1999, the national foster care population dropped to 397,000 in 2012.²³

California's foster care caseload decreased 41 percent between 2000 and 2016, from 103,000 to 61,000.²⁴ Nevertheless, over this same period, the percentage of children entering care in California following a substantiated abuse or neglect allegation remained stable. The decline in caseloads was attributable almost entirely to faster exits out of care, as opposed to fewer entries into care. This suggests missed opportunities to prevent maltreatment or provide in-home services to keep parents and children together. Even if more relatives have achieved

¹⁶ Billingsley and Giovannoni, *Children of the Storm*.

¹⁷ Krugman and Poland, “Can We Have a ‘Do-over’?”

¹⁸ Myers, “History of Child Welfare,” 459.

¹⁹ Murray and Gesiriech, “Legislative History of Child Welfare.”

²⁰ Ibid.

²¹ Roberts, *Shattered Bonds*, 8.

²² Curtis and Denby, “African American Children in Child Welfare.”

²³ Child Trends, “Foster Care.”

²⁴ Lucile Packard Foundation, “Children in Foster Care.”

legal guardianship in recent years as a result of FCA, the trauma of separating a parent and child cannot be undone.

Among the federal legislative reforms of the last half century, the Indian Child Welfare Act of 1978 (ICWA) stands apart because it applies to a single group—children who are members or are eligible for membership of a federally recognized tribe. The goal of ICWA was to preserve cultural and familial ties between Native children, families, and communities and to elevate tribal authority over placement decisions. Describing the congressional hearings that preceded the passage of ICWA, law professor Matthew L. M. Fletcher writes,

"Hundreds of pages of legislative testimony taken from Indian Country over the course of four years confirmed for Congress that many state and county social service agencies and workers, with the approval and backing of many state courts and some Bureau of Indian Affairs officials, had engaged in the systematic, automatic, and across-the-board removal of Indian children from Indian families."²⁵

As noted in an earlier section, these policies and practices dated back to the mid-nineteenth century.

As federal foster care policy evolved over the course of the twentieth century, the government began to make significant reductions in cash assistance to low-income families. According to historian Colin Gordon, "by the mid-to-late 1970s, AFDC reached about a third of all poor families, and over 80 percent of poor families with children."²⁶ In 1996, President Bill Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), which eliminated AFDC, an entitlement program, and replaced it with Temporary Assistance to Needy Families (TANF), a block grant. PRWORA froze funding for TANF at its 1997 level of \$16.5 billion. In the years since, the grant's value in inflation-adjusted dollars has shrunk 40 percent. Further, the legislation established strict work

requirements for TANF recipients and a five-year lifetime limit on benefits, among other barriers to enrollment. In 2019, TANF reached less than a quarter of low-income families with children.²⁷

The elimination of AFDC and the creation of TANF were logical next steps in a long, frequently bipartisan movement to end low-income Americans' so-called dependence on welfare. Dating back to the 1960s, when activists organized to address racial discrimination in AFDC and President Lyndon B. Johnson's administration instituted a slew of antipoverty programs, conservatives had decried the expansion of America's welfare state. Calling for cuts to government spending, critics of AFDC often invoked racialized stereotypes about freeloading welfare recipients (for example, Ronald Reagan's "welfare queen"). When President Clinton signed his welfare reform bill, he did so under pressure from Republicans, who had proposed even harsher eligibility restrictions than the ones that became law through PROWRA. Given the racist foundations of the attack on welfare, it is not surprising that "Black children are more likely to live in states where TANF has all but disappeared"²⁸ (meaning that less than 10 percent of low-income families receive benefits). Naturally, this erosion of the social safety net plays into the disparities in the child welfare system, where a disproportionate number of families are poor and of color.

²⁵ Fletcher, "Indian Child Welfare Act," 269.

²⁶ Gordon, "Growing Apart."

²⁷ Center on Budget and Policy Priorities, "Policy Basics: Temporary Assistance for Needy Families."

²⁸ Ibid.

DISPROPORTIONALITY AND DISPARITIES TODAY

Today, children of color, and specifically Black and Native American children, continue to experience disparities at every stage of the child welfare system: maltreatment reports, investigations, case substantiations, service referrals, out-of-home placements, family reunification, termination of parental rights, and time spent in foster care.

Black children comprise 14 percent of all children nationwide but 23 percent of children in the child welfare system.²⁹ Despite ICWA's passage more than 40 years ago, the proportion of Native children in foster care is 2.6 times higher than their share of the total child population.³⁰ In California, about half of Black children and Native American children experience a maltreatment investigation before the age of 18.³¹ While Latino children are underrepresented in the national foster care population, they are overrepresented in more than 20 states, including California.³² Generally, children of color are less likely than White children to exit foster care through reunification, adoption, and guardianship.³³

Because socioeconomic status and child welfare involvement are highly correlated, many attribute disproportionality in the system to high levels of poverty among certain communities of color. To analyze this argument, it is important to understand exactly how poverty, race, and the child welfare system interact. First, poverty among communities of color is often the direct result of racism in employment, housing, education, healthcare, criminal justice, lending, and other areas. Moreover, as sociology professor Dorothy E. Roberts notes, "government authorities are more likely to detect child maltreatment in poor families, who are more closely supervised by social and law enforcement agencies."³⁴ Therefore, official data inflates the extent of maltreatment in low-income households of color and further contributes to

negative perceptions about these families. All that said, generational poverty and systemic oppression can interfere with parents' ability to adequately care and provide for their children. Rather than equating poverty with neglect and needlessly separating children from their parents, child welfare agencies should strive to provide services and benefits that tangibly address the inequalities that stem from structural racism (while always prioritizing child safety).

Along with acknowledging and responding to structural racism broadly, child welfare practitioners must grapple with decades of academic research and anecdotal evidence regarding the bias and discrimination within the system. When controlling for family income and perception of risk, caseworkers have been shown to be more likely to substantiate cases and make removal decisions when investigating Black families. These findings suggest that some caseworkers have a lower threshold for making the potentially life-altering decision to separate a child from their parents if the family in question is Black.³⁵ Another study found that caseworkers were more likely to refer Black parents to parenting classes "even if there were no racial differences in the identification of poor parenting skills."³⁶ This sort of bias is very much felt and understood by communities of color and reinforces the belief that the child welfare system aims to undermine parents' judgment and ultimately break families apart.

²⁹ Puzanchera and Taylor, "Disproportionality Rates."

³⁰ Ibid.

³¹ Putnam-Hornstein et al., "Cumulative Rates of Child Protection Involvement."

³² Lucile Packard Foundation, "Children in Foster Care."

³³ Tilbury and Thoburn, "Using Racial Disproportionality and Disparity Indicators."

³⁴ Roberts, *Shattered Bonds*, 29.

³⁵ Dettlaff et al., "Disentangling Substantiation"; Rivaux et al., "Understanding the Decision."

³⁶ Font, "Service Referral Patterns," 384.

HIDDEN FOSTER CARE AND RACIAL DISPARITIES

In recent years, some practitioners and advocates have embraced kinship care as a remedy for the harmful effects of family separation and its attendant racially disparate impacts.

Although there should be robust efforts to prevent removal from the home in the first place, placement with kin caregivers when children cannot live safely with their parents can minimize the trauma of removal. Placing a child with relatives can diminish the loss that occurs when they are separated from their parents, siblings, friends, home, school, pets, etc. Relatives are often willing to take large sibling groups and may live in the same neighborhood as the child's parents, which allows for greater continuity of school and community and provides the comfort of living with people the child knows. Research shows that children in the care of relatives experience fewer placement and school changes, as well as better behavioral and mental health outcomes.³⁶ Additionally, children in kinship homes are more likely to stay connected to their extended family and maintain their culture and customs.

The many benefits of kinship care notwithstanding, these placements can occur outside of the dependency court system in the context of threats or coercion by the child welfare agency. This results in the phenomenon of "hidden foster care,"³⁸ which reinforces a power dynamic that leads to families making decisions that are not truly voluntary. While connecting children with family members should be a top priority in removal cases, coercing families to establish informal custody changes outside of the system could deprive them of due process, as well as benefits and services that promote permanency, reunification, and healing. In forced diversion cases, child welfare agencies essentially relieve themselves of the responsibility to ensure a child resides in a

safe, stable home, whether with a relative or a parent. This decision acknowledges harm caused by the system but does not prevent this harm—family separation—from occurring.

From one perspective, hidden foster care is a logical practice response to the deeply flawed child welfare system described thus far—a paternalistic system rooted in racism with a disproportionate number of low-income families of color. It is a clear recognition by the child welfare system of its own flaws and limitations. The policy recommendations that follow are designed to take constructive steps toward remedying these structural issues by strengthening families' protective factors, enhancing the checks and balances in the system, elevating the role of family and community in keeping families together, and healing those that have been separated.

³⁷ Winokur et al., "Kinship Care."

³⁸ Gupta-Kagan, "America's Hidden Foster Care System."

POLICY RECOMMENDATIONS

Since deep racial disparities persist at every decision-making point in the child welfare process, transformational change will require critical analysis and reform to better serve children and families before children enter care and as they move through and eventually exit the system. The policy recommendations outlined below strive to achieve the following objectives:



value family and community through prevention strategies aimed at averting maltreatment from occurring and halting all unnecessary separations of children and parents;



address the power imbalance between families and the child welfare system;



empower the family network and connect youth to their community if and when removing a child from their home is necessary and appropriate; and



prioritize family- and community-centered pathways to reunification.

VALUE FAMILY AND COMMUNITY THROUGH PREVENTION STRATEGIES



Eliminating the racial disproportionality and disparities in child welfare must begin long before a maltreatment allegation is made. Far too many low-income families of color come to the attention of child welfare agencies because of their socioeconomic status and through their interactions with social service providers. While in recent decades the social safety net in the United States has contracted dramatically, deepening inequalities during the COVID-19 pandemic have spurred federal and state policymakers to increase investments in programs for struggling families. Therefore, this historic moment presents an opportunity for child welfare agencies to capitalize on both existing and new resources to ensure that the families they serve have their basic needs met in terms of housing, food, healthcare, childcare, and other vital resources. When engaging with families, agencies should aim first and foremost to avoid separating a child and parent. This can be accomplished by preventing maltreatment through services that

strengthen families' protective factors; providing responsive and trauma-informed crisis intervention; and bolstering legal safeguards against unnecessary removals.



PROPOSED REFORMS

1

Expand primary prevention services to support families before maltreatment occurs.

The Problem: Funding is limited for programs and services that would help prevent neglect and abuse (primary prevention services), as well as services to prevent unnecessary removals after maltreatment has occurred (secondary or tertiary prevention services). The federal Family First Prevention Services Act (FFPSA) was designed to provide certain prevention services to support the care of children living with parents or relatives. While FFPSA offers important opportunity to provide services, there are restrictions that limit which services are available and who can receive the services.³⁹ FFPSA

³⁹ To be eligible for federally funded services, children must be: (a) "candidates for foster care," defined as a child "who is identified in a prevention plan ... as being at imminent risk of entering foster care ... but who can remain safely in the child's home or in a kinship placement as long as services or programs ... that are necessary to prevent the entry of the child into foster care are provided," or (b) expectant or parenting youth in foster care and their children.

only funds mental health and substance abuse prevention and treatment and in-home parent skill-based services that meet specific evidentiary criteria. Programs and services that directly assist with housing, education, employment, and other issues facing low-income families, or promising programs that do not meet the evidentiary criteria, are not eligible for federal funding under FFPSA. Other programs outside of child welfare that can provide these direct supports are not well integrated with child welfare agencies, meaning that the scope of services that a family receives may depend upon which agency's door they walk through first.

Solutions:

Expand the definition of a "candidate for foster care" to include children who may not be at imminent risk of entering foster care but may nonetheless want and need services to stabilize the family and reduce the risk of maltreatment.

Expand prevention funding to account for programs that do not meet current scientific standards but have been implemented at the local level, align with community practices and values, and are culturally competent.

Authorize and fund trusted community-based organizations to provide prevention services so that families can focus on healing and thriving without the constant presence of a child welfare agency representing the looming threat of separation.

Prevent intergenerational child welfare system involvement by ensuring that expectant and parenting youth in foster care, who are categorically eligible to receive FFPSA prevention services without a finding of risk or candidacy, are aware of and have access to the full array of approved prevention services.

2

Improve interagency coordination between public agencies and pilot "no wrong door" models so that families can access the same array of healthcare, employment, food, and housing services regardless of where they make system contact.

Give families in crisis the option to seek help from behavioral health specialists rather than law enforcement.

The Problem: Low-income families of color, particularly those impacted by the child welfare system, experience numerous stressors that affect their health and wellbeing (e.g., intergenerational trauma, poverty, systemic racism, and family and community violence). The cumulative weight of these challenges can lead to family conflicts, mental health crises, and other situations that may warrant outside intervention. Frequently, however, law enforcement is the first and only response available to families in crisis. For overpoliced and overincarcerated communities, police intervention in non-life-threatening situations can be triggering, traumatizing, and dangerous, and can also lead to criminal justice and child welfare system involvement.

Solution:

Develop a culturally-informed crisis response system staffed by behavioral health specialists with training in de-escalation, conflict resolution, and trauma-informed care. The Family Urgent Response System (FURS) launched in 2021 is just such a model, but it is exclusively available to current and former foster youth and their caregivers. A universally available hotline—similar to New Jersey's Mobile Response and Stabilization Services intervention⁴⁰ —

⁴⁰ Since New Jersey began implementing its Mobile Response and Stabilization Services intervention in 2004, the program "has consistently maintained 94 percent of children in their living situation at the time of service, including children who are involved with the child welfare system."

3

Limit removals on the basis of “neglect.”

The Problem: Under Welfare and Institutions Code section 300(b)(1), a child can become a dependent if the juvenile dependency court determines “the child has suffered, or there is a substantial risk that the child will suffer, serious physical harm or illness, as a result of ... negligent failure of the parent or guardian to provide the child with adequate food, clothing, shelter, or medical treatment.”⁴¹ From 2016 to 2018, nearly 90 percent of first entries into care in California occurred under this statutory definition of “neglect.”⁴² A significant number of these cases involved families living in poverty, as demonstrated by decades of research linking low socioeconomic status and child welfare system involvement.⁴³ Given both the disproportionate impact of poverty on communities of color⁴⁴ and the trauma accompanying family separation, child welfare agencies should prioritize strategies that support—rather than punish—parents who are struggling to meet their children’s basic needs. As former Children’s Bureau officials Jerry Milner and David Kelly wrote in a 2020 article for *The Imprint*, “poverty is a risk factor for neglect, but poverty does not equate to neglect.” When the system confuses poverty with neglect, it traumatizes marginalized families and misses out on opportunities to provide much-needed support with housing, employment, healthcare, and other areas.

Solutions:

Raise the legal standard for finding dependency court jurisdiction based on “neglect” by revising the statute so that (1) the court must find that a parent failed to meet their child’s basic needs willfully or with an intent to harm and (2) case workers must provide evidence that intensive in-home services would not remedy the cause of the allegation. Ensure that the legal standard for “neglect” reflects current evidence-based approaches to domestic violence, substance abuse, mental health, homelessness, and other symptoms of poverty that do not necessarily result in child abuse or neglect.

4

Implement a “blind removal” process.

The Problem: Research shows that families of color are more likely than their White peers to experience child welfare investigations, substantiated maltreatment allegations, and out-of-home placements, among other disparate outcomes. For example, a 2008 study by Rivaux et al. “found that Black children were 77 percent more likely than White children to be removed from their homes following a substantiated maltreatment investigation, even after controlling for factors such as poverty and related risks.” This finding indicates practitioner bias at a critical juncture in the child welfare process—when agency staff are deciding whether to separate a child and parent.

Solution:

Pilot a “blind removal” strategy, which has

⁴¹ CA Welf & Inst Code § 300 (amended 2015).

⁴² Kidsdata, “First Entries into Foster Care, by Reason for Removal.”

⁴³ According to an article published by First Focus on Children, “data compiled by the Third National Incidence Study of Child Abuse and Neglect indicate that children from families with annual incomes below \$15,000 were over 22 times more likely to experience maltreatment than children from families whose income exceeded \$30,000.”

⁴⁴ As reported by the Children’s Defense Fund, the poverty rates for Black (30.1 percent), Native American (29.1 percent), and Hispanic (23.7 percent) children are multiple times the rate for White children (8.9 percent).

been shown to reduce the impact of practitioner bias. This process removes all identifying information (e.g., race, name, address) from the investigating caseworker's report before a committee of child welfare professionals makes a recommendation regarding whether a child should be placed in out-of-home care.⁴⁵ Further evaluation is needed to confirm the effects of blind removal on racial disparities in out-of-home placements, so any blind removal pilot should be implemented with a rigorous evaluation plan. Nevertheless, according to anecdotal reports, involving a committee of experienced staff in removal decisions increases the likelihood that child welfare agencies will identify opportunities to provide in-home interventions and refer families to community-based resources.

5

Incorporate antiracism into mandatory reporting laws, policies, and practices.

The Problem: California's mandatory reporting laws compel adults working in a wide range of fields—education, healthcare, law enforcement, youth recreation, and more—to report suspicions of child abuse or neglect to the state under penalty of a fine and possible jail time. While aimed at protecting children, these laws heighten the surveillance of low-income families of color and encourage mandated reporters to err on the side of caution without considering the racially disparate impacts of child welfare investigations. To illustrate the scope of this issue, again, a recent study examining a cohort of children born in California in 1999 revealed that 46.8 percent of Black children and 50.2 percent of Native American children experienced

maltreatment investigations before the age of 18.⁴⁶

Solutions:

Require that all training for mandated reporters include information about the racial disproportionality and disparities in child welfare and the potential consequences faced by children and families who experience investigations, removals, and other aspects of the child welfare process.

Within public-serving systems responsible for a significant percentage of maltreatment reports (e.g., education and healthcare), develop guidelines for teachers, health providers, and other professionals on referring families to community-based resources and other alternatives to making a child welfare report.

6

Increase understanding of the socio-cultural dynamics of domestic violence.

The Problem: According to a 2021 report by the Pritzker Center for Strengthening Children and Families, more than half of child welfare cases in Los Angeles County involve allegations of domestic violence (DV).⁴⁷ Given their frequent interactions with public-serving systems and the lack of prevention and intervention resources, low-income families of color experiencing DV are at particularly high risk of child welfare involvement. Nevertheless, child welfare staff may fail to consider the intersecting issues of race, poverty, and DV when working to protect survivors and their children. For

⁴⁵ When Nassau County, New York, began implementing blind removals in 2011, Black children comprised 55 percent of children removed from their homes; that number had dropped to 27 percent by 2015.

⁴⁶ Putnam-Hornstein et al., "Cumulative Rates of Child Protection Involvement."

⁴⁷ UCLA Pritzker Center on Strengthening Children and Families, "Child Welfare and Domestic Violence: The Report on Intersection and Action."

example, despite the limited shelter or housing options available to low-income mothers, survivors are often asked to either move out of the home they share with their perpetrator (with no alternate housing) or risk having their children placed in foster care.

Solution:

Employ practitioners with DV expertise within county child welfare agencies. In San Francisco, the Department of Children, Youth, and Their Families has partnered with a community-based organization for survivors to employ a Domestic Violence Specialist who "can aid social workers in designing feasible safety plans for families, assigning relevant and helpful services, and encouraging the social workers and courts to use trauma-informed language in their official communications."⁴⁸

⁴⁸ Ibid, 13.

ADDRESS THE POWER IMBALANCE BETWEEN FAMILIES AND THE CHILD WELFARE SYSTEM



Many families experience interactions with the child welfare system as adversarial, invasive, and disempowering. In some low-income communities of color, residents view child welfare workers as an extension of law enforcement, another government entity weighed down by a history and present day of harmful and discriminatory policies and practices. To begin to build trust and legitimacy with those communities disproportionately impacted by the system, child welfare agencies can take proactive steps to share power with parents, caregivers, and young people. These efforts would bolster due process protections; elevate child and family decision making; reduce uninformed or unintended consequences of placement decisions;⁴⁹

and expand advisory roles for people with previous system involvement.



PROPOSED REFORMS

1

Mandate pre-petition legal representation.

The Problem: Any interaction with the child welfare system can be intimidating and overwhelming. Parents and potential caregivers, especially those experiencing poverty who are not able to retain a private attorney, may be unaware of their legal rights during the investigation phase, as well as the various options available to them as they work to keep a child in the home or find a safe placement. As a result of decisions made without legal counsel, parents may see their children placed in out-of-home care indefinitely.

Solution:

Make pre-petition legal representation available to all families who are under investigation by a child welfare agency. Pre-petition representation ensures the rights of parents and children are protected and helps parents understand

⁴⁹ Including safety plans and the other informal care arrangements discussed in the next category of recommendations.

2

Make child and family team (CFT) meetings family-centered and culturally competent.

The Problem: Although child and family team (CFT) meetings were designed to create a more youth- and family-centered case planning process, current practice does not match this vision. While policy encourages the use of independent facilitators for child and family team (CFT) meetings, it also permits child welfare social workers to serve as facilitators. Social workers cannot be neutral parties in the CFT since they make recommendations to the court about each case. Further, according to advocates, this stipulation allows social workers to hold CFT meetings according to their own schedules and to dictate the setting and structure of meetings. In some cases, social workers neglect to inform older youth that they can invite trusted adults to the meeting, which denies youth the opportunity to experience allyship in the case planning process.

Solutions:

Recruit independent facilitators who reflect the backgrounds of the families most impacted by the child welfare system and develop policies that ensure that members of the child and family's community (including tribal representatives) are present at even the earliest CFT meetings.

Develop revised policy and practice

guidance to make CFT meetings more culturally competent.

Develop outreach materials to help youth and families prepare for CFT meetings, including information on how to contact the Office of the Foster Care Ombudsperson.

Authorize funding for counties to pilot innovative and family-centered CFT models.

Conduct listening sessions, review county policies, and work with clients and impacted stakeholders to identify opportunities to reform CFT meetings locally and statewide.

⁵⁰ According to Casey Family Programs, "evaluations of a collection of pilot [pre-petition] programs show promise, including nearly 100 percent prevention of foster care entries and cost savings of 2-to-1 when compared with the cost of foster care placement."

EMPOWER THE FAMILY NETWORK AND CONNECT YOUTH TO THEIR COMMUNITY



In cases where it is necessary and appropriate to separate a child from their parents because of a threat of immediate harm to the child, child welfare agencies should take every affirmative step to maintain that child's connections to their own family and community—particularly for those groups most impacted by the child welfare system and most likely to experience placement far from their homes or with caregivers and providers who do not share their cultural background. These social bonds are critical for achieving permanency and reunification and healing from trauma. Further, families and communities have a right to make decisions about the care of their most vulnerable children. The procedures regarding voluntary placement agreements and resource family approval are particularly promising areas for reform.



PROPOSED REFORMS

1

Remove barriers preventing children from being immediately connected to their own family and extended family.

The Problem: Current laws governing resource family approval (RFA) exclude relatives and extended family members who are fit and willing to care for children removed from their parents' homes, and these exclusions are based on factors unrelated to the child's health and safety. Criminal background checks and judgments about placement capacity and income and resources are of particular concern. As the communities of color overrepresented in the criminal justice system are also those overrepresented in the child welfare system, relatives and extended family members should not be penalized for old arrests or convictions that have no bearing on the safety of a child in their care. To the contrary, the California Court of Appeal has concluded that non-exemptible prohibitions on placement and approval based on criminal background invade the close, parent-like relationship that many kinship caregivers have with the children in their care. Further, child welfare agencies should not separate siblings

based on subjective judgments about a relative caregiver's home or resources.

Solutions:

Amend existing law related to relative preference to clarify that the juvenile court has independent judgment to order placement with a relative or nonrelative extended family member (NREFM) if the placement does not pose a health and safety risk to the child.

Ensure robust implementation of the existing "child-specific" approval process to allow such approval to be granted whenever the relative has a family-like relationship with the child; and expand child-specific approval to apply to siblings, absent a risk to the child.

Remedy barriers to approval when relatives lack childcare supplies such as cribs, car seats, and booster seats.

Expand the list of convictions that are eligible for an exemption or simplified exemption, particularly when the caregiver has a parent- or family-like relationship with the child and does not pose a health or safety risk to that child. This would effectively replace the current framework for approval and placement with one that is more fact-specific and individualized.

Add a "reasonable efforts" requirement for child welfare agencies to help relatives avoid placement delays that occur when they lack childcare supplies; and allow agencies to waive on a case-by-case basis the RFA requirement that a household have a certain level of financial ability.

2

Use Voluntary Placement Agreements as a proactive family engagement tool.

The Problem: In California, a voluntary placement agreement (VPA) is the only legal option a child welfare agency may use to facilitate an out-of-home placement outside of a petition filed with the juvenile court. Nevertheless, many counties force the movement of a child to a relative's home without any documentation or use variations of a "safety plan," which is not authorized by statute and does not provide any due process protections to the parent or funding to the caregiver or child. Safety plans also do not result in a transfer of legal custody and control to the child welfare agency or the caregiver. Some argue that safety plans and other informal arrangements can protect children and families from the potential harms of the child welfare process. However, these diversion practices often include an element of coercion and thus compound the power imbalance between system actors and families of color.

Solutions:

Replace "safety plans" with VPAs. VPAs are written contracts that allow parents to work with the child welfare agency to identify a temporary placement for their child while receiving services and supports. This gives parents the time and space to consider placement options for their children because parents generally are best positioned to know where their children will feel safe and supported.

Couple increased use of VPAs with universal access to quality pre-petition representation to ensure families are made aware of the requirements of the agreements. Counties that currently utilize VPAs but do not follow the legal requirements related to the formation,

timing, and resolution of VPAs should revise their policies and practices to ensure that VPAs are truly voluntary.

Develop statewide guidance and training to ensure that VPAs are understood, familiar, and easily accessed.

3

Permit families, parents, or children to seek court review of any safety plan or informal care arrangement.

The Problem: Safety plans and other informal care arrangements can contribute to the racial disparities in child welfare. As documented by families and advocates,⁵¹ agency staff frequently ask relatives to decide between assuming care of a child outside the formal system or allowing that child to be placed in foster care with a stranger. Fearful of losing the child to foster care, relatives are likely to choose the former option. But even if agency staff view informal placements as a way to shield families from the harms associated with foster care, these arrangements allow agencies to wield the power of family separation without having to prove in court that the removal was appropriate or provide supports and services to families. Thus, safety plans and other informal arrangements weaken the checks and balances in a system that is already tilted against the low-income families of color who comprise a large share of caseloads.

Solution:

To protect due process rights, parents or children should be permitted to seek court review of any safety plan or informal care arrangement that did not utilize the state-sanctioned VPA process and form or contain sufficient markers of voluntariness.

4

Facilitate expedited guardianships through the dependency court system.

The Problem: California law allows for juvenile courts to order guardianship in lieu of ordering a child into a foster care placement, protecting parental choice and family integrity for those parents who do not wish to receive reunification services and want an alternative plan for their child. However, these types of guardianships are not widely utilized. Instead, relatives are encouraged to seek guardianship in probate court despite the fact that the probate court is not equipped to adjudicate cases involving child abuse and neglect. Probate guardianships can leave the families who are overrepresented in child welfare with less decision-making power and fewer resources for addressing the issues that led to their involvement with the system.

Solutions:

Families should not have to forfeit the legal protections and the supports and services afforded by the dependency system in order to place a child in a legal guardianship with a relative. The Welfare and Institutions Code 360(a) guardianship process should be amended to allow more family decision making with the benefit of counsel, while limiting unnecessary exposure to the child welfare system and juvenile court. This can be accomplished in three ways:

(1) Promoting family autonomy by allowing

⁵¹ Alliance for Children's Rights and Lincoln, "The Human Impact of Bypassing Foster Care."

parents to designate individuals they determine to be fit to serve as the guardian rather than requiring resource family approval.

(2) Funding all guardianships ordered pursuant to WIC Code 360(a) under the state Kinship Guardianship Assistance Payment (Kin-GAP) Program by exempting families from the standard Kin-GAP requirements that the child must have been placed with the relative pursuant to a voluntary placement agreement or foster care placement for six consecutive months.

(3) Changing the requirement that allegations against the parent must be substantiated before the court can order a guardianship under 360(a).⁵²

⁵² CA Welf & Inst Code § 360 (amended 2010).

PRIORITIZE FAMILY- AND COMMUNITY-CENTERED PATHWAYS TO REUNIFICATION



In a child welfare system that is truly family-centered, children remain connected with their families at every step of the process; the emphasis is on relational permanence and ensuring the family continues to feel supported. However, as the system currently functions, parents must overcome bureaucratic and logistical hurdles to maintain contact with their children and show their commitment to growing from the events that led to the separation. Instead, agencies can support successful reunifications by instituting more flexible policies around visitation and ensuring that mandated services for parents are accessible in terms of location and cost.



PROPOSED REFORMS

1

Restructure visitation to promote family bonding time and set the stage for successful reunification.

The Problem: Though consistent and meaningful visitation is vital to reunification, the standard visitation order almost always begins with supervised visitation and allows for just a few hours of visitation per week. In addition, visits are often scheduled during business hours and at locations far from where parents live. When such obstacles prevent parents from seeing their children on a regular basis—coupled with any implicit biases county workers may hold—county agencies may assume parents are not committed to reunification.

Solutions:

Require that social workers make visitation recommendations on a case-by-case basis, taking into consideration each family's unique situation and needs.

Allow for unsupervised visitation unless there is an identified safety risk to the child. Order monitored visits only as needed.

Choose date, time, and location of visits based on parents' availability and transportation needs.

Incorporate parents in children's daily lives and arrange visits that emulate normal parent-child interactions through activities such as cooking dinner together or going to the park, movies, school extracurriculars, etc.

As appropriate, increase the frequency of sibling visits when siblings are placed in separate homes.

Determine frequency and duration of visits based on child's age and developmental stage, as well as family's goals for reunification.

Review visitation recommendations regularly as case evolves, with an eye towards greater frequency of visits and fewer limitations.

2

Ensure access to reunification services.

The Problem: For the communities that are overrepresented in the child welfare system, challenges with accessing and paying for services often add to the daily stressors of poverty and structural racism. If court-ordered reunification services are not readily accessible and provided free of cost to parents, families are less likely to reunify.

Solutions:

Braid federal, state, and local funding streams to provide financial support for all reunification services in a family's case plan, including building sufficient capacity to eliminate waitlists for subsidized services.

Adopt policies and practices to ensure that parents can access reunification services regardless of geography, disability, or barriers related to transportation or work or program schedules. The onus should be on the county to ensure that reunification

services are truly accessible.

Deepen relationships with community-based organizations that can provide culturally competent reunification services.

ACKNOWLEDGMENT, REFORM, EDUCATION AND TRANSPARENCY

All policy changes must be grounded in an acknowledgment of past and ongoing harms and a commitment to anti-racist reform. Government child welfare agencies should institutionalize anti-racist trainings; outline specific targets for reducing racial disproportionality and disparity; and release an annual report analyzing progress on this agenda.

PROJECT COORDINATORS:

Kristin Power

Vice President, Policy and Advocacy
Alliance for Children's Rights

Sabrina Forte

Director, Policy and Impact Litigation
Alliance for Children's Rights

David Noble

Policy Associate
Alliance for Children's Rights

The Alliance for Children's Rights thanks **Dick Wolf** for his generous support for the development of this report. This report reflects the opinions of the authors alone and does not necessarily reflect those of the funders.

Special thanks to Angie Schwartz for her vision and leadership.

Additional thanks to the following for their logistical and informational support in the development of this report:

Delia Sharpe, Executive Director

Blair Kreuzer, Policy Director

Kimberly Cluff, Legal Director

California Tribal Families Coalition

Susan Abrams, Policy Director

Phyllis Stricklan, Firm Director

Luciana Svidler, Senior Policy Attorney

Children's Law Center of California

Dennis Smeal, Executive Director

Rachel Ewing, Law Firm Director and Head of Diversity, Equity and Inclusion

Emily Berger, Supervising Attorney

Los Angeles Dependency Lawyers, Inc.

Taylor I. Dudley, Administrative Director

Pritzker Center for Strengthening Children and Families

Demontea Thompson, Executive Director
Twinspire

BIBLIOGRAPHY

- Alliance for Children's Rights and Lincoln. The Human Impact of Bypassing Foster Care for At-Risk Children: Building a Continuum of Support for Families Diverted. 2020. https://allianceforchildrensrights.org/wp-content/uploads/PolicyReport_HiddenFosterCare_2-2020.pdf.
- Brown III, Leonard G. and Kevin Gallagher. Mandatory Reporting of Abuse: A Historical Perspective on the Evolution of States' Current Mandatory Reporting Laws with a Review of the Laws in the Commonwealth of Pennsylvania. *Villanova Law Review* 59, no. 6 (2014): 37-80.
- Casey Family Programs. "How Can Pre-Petition Legal Representation Help Strengthen Families and Keep Them Together?" February 13, 2020. <https://caseyfamilypro-wpengine.netdna-ssl.com/media/20.07-QFF-TS-Preventive-Legal-Support.pdf>.
- Casey Family Programs. "What Is New Jersey's Mobile Response and Stabilization Services Intervention?" May 31, 2018. <https://www.casey.org/nj-mobile-response-stabilization-services/>.
- Center on Budget and Policy Priorities. "Policy Basics: Temporary Assistance for Needy Families." March 31, 2021. <https://www.cbpp.org/research/family-income-support/temporary-assistance-for-needy-families>.
- Children's Defense Fund. The State of America's Children 2020. <https://www.childrensdefense.org/policy/resources/soac-2020-child-poverty/>.
- Child Trends. "Foster Care." May 24, 2018. [https://www.childtrends.org/indicators/foster-care#:~:text=Trends%20in%20foster%20care&text=The%20number%20of%20chil dren%20in%20foster%20care%20increased%20during%20the,in%202017%2\(preliminary%20estimate\)](https://www.childtrends.org/indicators/foster-care#:~:text=Trends%20in%20foster%20care&text=The%20number%20of%20chil dren%20in%20foster%20care%20increased%20during%20the,in%202017%2(preliminary%20estimate)).
- Crenson, Matthew A. Building the Invisible Orphanage: A Prehistory of the American Welfare System. Cambridge, MA: Harvard University Press, 1998.
- Crofoot, Thomas L. and Marian S. Harris. An Indian Child Welfare Perspective on Disproportionality in Child Welfare. *Children and Youth Services Review* 34 (2012): 1667-1674.
- Curtis, Carla M. and Ramona W. Denby. African American Children in the Child Welfare System: Requiem or Reform. *Journal of Public Child Welfare* 5 (2011): 111-137.
- Dettlaff, Alan J., Stephanie L. Rivaux, Donald J. Baumann, John D. Fluke, Joan R. Rycraft, and Joyce James. Disentangling Substantiation: The Influence of Race, Income, and Risk on the Substantiation Decision in Child Welfare. *Children and Youth Services Review* 33 (2011): 1630-1637.
- Fitzgerald, M. "To Eliminate Racial Bias, Child Welfare Breakthrough Tells Us to Try Colorblindness." *The Imprint*, April 8, 2019. <https://imprintnews.org/news-2/color-blind-implicit-bias-foster-care-new-york/34458>.
- Fletcher, Matthew L. M. The Indian Child Welfare Act: A survey of the legislative history. *Indigenous Law & Policy Center Occasional Paper* 4 (2009).
- Font, Sarah A. Service Referral Patterns Among Black and White Families Involved With Child Protective Services. *Journal of Child Welfare* 7 (2013): 370-391.
- Gordon, Colin. Growing Apart: A Political History of American Inequality. *Inequality*, April 11, 2020. <https://scalar.usc.edu/works/growing-apart-a-political-history-of-american-inequality/a-tattered-safety-net-social-policy?path=differences-that-matter>.
- Gupta-Kagan, Josh. America's Hidden Foster Care System. *Stanford Law Review* 72 (April 2020): 841-913.
- Houshyar, Shadi. Poverty and Child Neglect: What We Know and What We Need to Do. *First Focus on Children*, January 27, 2014. <https://firstfocus.org/blog/poverty-and-child-neglect-what-we-know-and-what-we-need-to-do>.
- Jimenez, Mary Ann. Permanency Planning and the Child Abuse Prevention and Treatment Act: The Paradox of Child Welfare Policy. *The Journal of Sociology & Social Welfare* 17, no. 3 (September 1990): 55-72.
- Kempe, C. Henry, Frederic N. Sivlerman, Brandt F. Steele, William Droege Mueller, and Henry K. Silver. The Battered-Child Syndrome. In C. Henry Kempe: A 50 Year Legacy to the Field of Child Abuse and Neglect, edited by Richard Krugman and Jill Korbin (Springer Science + Business Media): 23-38.
- Kidsdata. "First Entries into Foster Care, by Reason for Removal." <https://www.kidsdata.org/topic/16/foster-entries-reason/pie#fmt=13&loc=2&tf=125&ch=35,36,37,38&pdist=89>.
- Krugman, Richard D. and Lori E. Poland. Can We Have a "Do-over"? Disrupting a Half-century Old Approach to Child Abuse and Neglect. *International Journal on Child Maltreatment: Research Policy and Practice* 3 (2020): 1-7.
- Lawrence-Webb, Claudia. African American Children in the Modern Child Welfare System: A Legacy of the Flemming Rule. *Child Welfare* 76, no. 1 (1997): 9-30.
- Lucile Packard Foundation for Children's Health. "Children in Foster Care." Accessed January 27, 2021.

BIBLIOGRAPHY

- Minnesota Dept. of Human Services. "Orphanages: An Historical Overview." March 1995. <https://www.leg.mn.gov/docs/pre2003/other/950265.pdf>.
- Murray, Kasia O'Neill and Sarah Gesiriech. "A Brief Legislative History of the Child Welfare System." Pew Commission on Children in Foster Care. November 1, 2004. <https://www.pewtrusts.org/en/research-and-analysis/reports/2004/11/01/a-brief-legislative-history-of-the-child-welfare-system>.
- Myers, John E. B. "A Short History of Child Protection in America." *Family Law Quarterly* 42, no. 3 (Fall 2008): 449-463.
- Pember, Mary Annette. "Death by Civilization." *The Atlantic*, March 8, 2019. <https://www.theatlantic.com/education/archive/2019/03/traumatic-legacy-indian-boarding-schools/584293/>.
- Pryce, Jessica. "Eradicating Racism and Bias in Foster Care/Child Welfare." Online lecture hosted by UCLA Pritzker Center for Strengthening Children and Families, Los Angeles, CA, USA, August 27, 2020.
- Puzzanchera, Charles and M. Taylor. Disproportionality Rates for Children of Color in Foster Care Dashboard. 2020. Distributed by National Council of Juvenile and Family Court Judges. http://www.ncjj.org/AFCARS/Disproportionality_Dashboard.aspx.
- Rivaux, Stephanie S., Joyce James, Kim Wittenstrom, Donald Baumann, Janess Sheets, Judith Henry, and Victoria Jeffries. The Intersection of Race, Poverty and Risk: Understanding the Decision to Provide Services to Clients and to Remove Children. *Child Welfare* 87 (2008): 151-168.
- Roberts, Dorothy E. *Shattered Bonds: The Color of Child Welfare*. New York: Basic Civitas Books, 2002. ProQuest Ebook Central.
- Schoenherr, Neil. "1 in 3 Children Investigated for Abuse/Neglect by 18." *The Source*, December 20, 2016. <https://source.wustl.edu/2016/12/one-third-us-children-reported-investigated-child-abuse-neglect-age-18/>.
- Tilbury, Clare and June Thoburn. Using Racial Disproportionality and Disparity Indicators to Measure Child Welfare Outcomes. *Children and Youth Services Review* 31 (2009): 1101-1106.
- UCLA Pritzker Center on Strengthening Children and Families, "Child Welfare and Domestic Violence: The Report on Intersection and Action." May 12, 2021. https://pritzkercenter.ucla.edu/wp-content/uploads/2021/05/Pritzker-Domestic-Violence-Report-Endnotes_final.pdf.
- Winokur, Marc, Holtan, Amy and Keri E. Batchelder. Kinship Care for the Safety, Permanency, and Well-being of Children Removed from the Home for Maltreatment. *Cochrane Database of Systematic Reviews* 1 (January 2014).