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An interview with Dorothy Roberts, the author of *Torn Apart: How the Child Welfare System Destroys Black Families—and How Abolition Can Build a Safer World*.

Lyra Walsh Fuchs ■ April 1, 2022



Activists attend a march in Brooklyn, New York to defund the Administration for Children's Services, June 2020 (Erik McGregor/LightRocket via Getty Images)

*Booked* is a series of interviews about new books. For this edition, Lyra Walsh Fuchs talks to Dorothy Roberts, the author of *Torn Apart: How the Child Welfare System Destroys Black Families—and How Abolition Can Build a Safer World* (*Basic Books*).

Over 630,000 children, who are disproportionately Black and Indigenous, were “served by the foster care system” in 2020, according to the federal Department of

Health and Human Services. That number doesn't account for the many families placed under informal supervisory plans, or who received surprise knocks on their doors from caseworkers, often accompanied by police.

Dorothy Roberts and a growing number of activists across the country have another name for the child welfare system: family policing. Like prison and police abolitionists, they think that decades of reforms intended to improve the system have only entrenched its power, and that family policing should be abolished and replaced with redistributive policies and a true social safety net.

The idea that the U.S. child welfare system endangers children may seem surprising, especially to those who haven't interacted with it, or to those who have read the tragic headlines that appear when a child is harmed. But as Roberts argues in her new book, "tragic cases of child abuse continue to appear even under the watch of the toughest child protection regimes. Children fall through the cracks not because child welfare agencies are devoting too many resources to family support. Children fall through the cracks because agencies are devoting too many resources to investigations and child removal."

We spoke about the book, the contemporary child welfare system and its history, and Texas Governor Greg Abbott's attack on trans kids and their families. The transcript has been edited for length and clarity.

**Lyra Walsh Fuchs:** A lot of agencies and organizations in the "child welfare" realm have origins in the Progressive Era, when they formed out of concerns about child labor and living conditions in tenements. You write that there's a different, longer history. How do you think we should situate Child Protective Services within the history of the United States?

**Dorothy Roberts:** It's essential to see Child Protective Services as part of a long-standing agenda by a white, settler-colonial, and enslaving state to oppress Black and Native communities, to control them, and, in the case of Indigenous tribes, to decimate them. We must trace the roots of the current-day system to the enslavement of Black people and the routine forced separation of families at the auction block or whenever the enslaver thought it was beneficial to their interests. There was no concept that Black people had family rights. They had no autonomy over their families. Enslavers made it clear, through cruel and atrocious treatment, that they were the bosses of Black children.

After slavery ended, courts determined that Black parents were negligent and ordered their children to be indentured to former enslavers. In thousands and thousands of cases, Black children were forced back into work under the supervision of the very white men who had enslaved them. It's really eerie how those court-ordered indentures prelude today's court-ordered taking of Black children from their

parents on grounds that their parents are neglecting them. In both cases, the so-called neglect stems from structural racism and the disadvantages that Black parents have in raising children because of lack of employment, education, and housing—disadvantages imposed upon Black families by a racial-capitalist nation.

At the same time in the nineteenth century that Black children were being separated from their parents either by enslavers or by the apprenticeship system, the U.S. military was waging war against Native tribes and using child removal as a deliberate and explicit weapon of war to destroy them. The children were initially sent to military-run institutions. Later, in the twentieth century, the U.S. government adopted an official adoption policy for Native children. They were removed from their homes and tribes at extremely high rates and placed with white adoptive families.

Those are the origins of our child-welfare system. The mythical narrative about rescuing children from dangerous homes emerged in the late nineteenth century, when charitable organizations began to advocate for a kinder way of addressing impoverished immigrant children's needs. They began to create orphanages and foster-care institutions as a reform of the existing practice, which put poor children, along with their parents, in almshouses, workhouses, and poorhouses. This reform still relied on the philosophy that the way to address children's poverty is to take them from their families and put them in institutions or in strangers' homes—where these children were forced to work. Thousands of impoverished children were also shipped off on what came to be known as "orphan trains," which took kids from neighborhoods on the East Coast and sent them west to work on farms owned by strangers who took them in under the pretext of rescuing them from negligent parents. But, in reality, they were taken because their parents were impoverished. Is this child saving, or is this child exploitation? Even the rosy narrative of state-run Child Protective Services and foster care evolving from the work of charitable organizations engaged in saving children, even that is actually a story of punishing poverty and exploiting child labor.

**Walsh Fuchs:** That brings the extractive financial aspect to the forefront. You write about the charitable organizations running newspaper advertisements for the "able-bodied" children coming in on the orphan trains. Now child welfare is a multi-billion-dollar industry. Where does that money come from? What's the effect of privatization?

**Roberts:** The money for the U.S. child-welfare system comes partly from the federal government and partly from state and local governments. It all adds up to about \$30 billion a year. Most of the money goes toward investigating families, separating families, and maintaining children in foster care or getting them adopted. Most of the money does not go to services that would actually meet the concrete needs of children and their caregivers. All the people who work for these agencies and

receive salaries have a stake in this system, as do the people hired by the agencies, like therapists and evaluators.

The system is based on a therapeutic notion of how to address children's needs; it investigates parents who are deemed to have some pathology or psychological problem that explains why they're not taking adequate care of their children. The remedy that the state provides is therapy for the parents and the children. But often that doesn't have anything to do with the material needs of the families. Even if the families could benefit from therapeutic help, it doesn't work when it's state-imposed and the therapist that the state assigns can go into court and testify against the family based on confidential information shared in therapy.

Now, that's just a piece of it, because, increasingly, states are turning to private for-profit companies and nonprofit organizations to run their foster-care systems. These companies select and train foster caretakers and run congregate care, like group homes and residential treatment centers, which are largely prison-like facilities where adolescents and teenagers are housed, often without any actual diagnosed need for them to be there. This is despite clear evidence that these are extremely harmful places for children to live. There have been many cases of sexual assault, physical assault, and even killings of children by staff.

There is a profit motive for keeping children in foster care. These agencies make money only on the children who remain under their supervision. This is well documented, even by congressional reports. Privatization poses a danger to children, whether particular organizations or companies are technically for-profit or not-for-profit. State agencies, too—they all have a financial incentive to take children away from their families and keep them in foster care, or even get them adopted. The Adoption and Safe Families Act, passed in 1997, gives literal incentives to states to get children adopted.

Another horrible aspect of this foster-industrial complex is that states and municipalities routinely take Social Security benefits from children in foster care, arguing that this is reimbursement for the money spent maintaining these children. Meanwhile, the state agencies hire private companies to look for children who receive disability or survivor benefits from Social Security and figure out ways to put more of them in foster care. It has become a way for states and cities to meet budget shortfalls. There are email records showing this is being done deliberately. It's not as if they're putting the money into trust funds or savings accounts for the children. No, they consider the money part of the government coffers, and it can be spent in other ways, unrelated to the care of these children.

Many children have reported that when they age out of foster care, at eighteen or twenty-one, depending on the state, agencies just leave them on their own, without any money, or just enough money to get by for a few days. Some are even dropped off at homeless shelters. Many end up unhoused and living in the streets. Some have

reported discovering that hundreds of thousands of dollars had been taken from them. The child-welfare agencies claim that they are required by law to put children in foster care in order to protect them. If they're required to do it by law, and they're doing it to protect the children, then they should not seek reimbursement from the children's benefits. There should be money to support these children coming from the federal government and other sources.

To make matters worse, these agencies are not keeping children safe and providing for their welfare. We know full well that children in foster care, on average, have poor outcomes. They're unlikely to go to college. They're more likely than the general population to be houseless. They earn less. They're more likely to go to juvenile detention or prison. They're more likely to have PTSD and other kinds of emotional problems. They're more likely to commit suicide. Foster care is not good for children. You cannot blame it on the children themselves, as many agencies do, saying, "Well, they were troubled children." There are studies showing that in instances where a child could be left at home or could be placed in foster care, the ones left at home do better.

It's not that children come into foster care already—and this is not my word, but this word is often used—"damaged," and then foster care is unable to heal the damage that their families cause. No, foster care itself places children in dangerous and traumatic settings. When children respond to that, either by running away or getting into conflicts in congregate care, the response is to call the police on them. And so, many of these children who are simply responding to the trauma that was inflicted on them by foster care are then treated as if they're criminal offenders, and this puts them on the path to prison.

**Walsh Fuchs:** What effect does separation have on children? You write about how the possible harm of separation usually isn't weighed by the legal system.

**Roberts:** The public became acutely aware of the trauma of taking children from their parents and other family members during the Trump administration, when he intensified the policy of separating families of undocumented immigrants at the border. There were many experts who weighed in; some even called it a form of torture under international law. Groups of psychologists pointed out how traumatizing it is to take children away from their families, especially when they're placed with strangers or if they're put in institutions, which happens to a third of teenagers in foster care in the United States. It's well documented that it is psychologically and physically damaging to children to tear them away from their families. Yet it is rarely taken into account in policymaking and in child-welfare decision making, where the question focused on is, can we guarantee that the child will be safe if returned home? Or can we guarantee that the child will no longer be neglected (which usually means experiencing conditions of poverty) if returned

home? The focus is rarely on whether it's worth taking the child away from the family and imposing all this trauma on the child for the sake of protecting the child.

This is an especially misguided and cruel evaluation when it comes to Black families. There's a long-standing, centuries-old idea that Black people do not have loving bonds that are worth saving. The idea that Black children are better off if saved from their families and placed in the state's care—even the idea that they're better off under white peoples' supervision—can be traced back to slavery. These myths about Black families have circulated widely ever since. There was a study conducted in Michigan which found that the idea that Black children are better off away from their families was stated throughout the child-welfare system, by case workers, supervisors, judges, and others making policy decisions about how to keep children safe.

It's not even as if all the billions and billions of dollars fed into the system are improving the welfare of these children. Those funds are used to harm them. On top of that, because the system is based on this falsehood that says the primary threat to children is their parents, who should be investigated and punished, our society is deterred from figuring out a better way to truly keep children safe and support families. That philosophy is a very powerful hindrance to thinking about radical ways we can care for children's welfare. It's a hindrance to having a strong government welfare system in the United States that gives financial support to parents so that they can adequately take care of their children. It's an impediment to supporting community-based mutual-aid networks and other kinds of networks where families can seek help voluntarily, without the threat that anything they say is going to be used against them in a child-welfare proceeding.

Right now, the threat of child removal and mandated reporting by the very people who are supposed to support children, such as teachers and doctors and workers at social-service programs, deters parents from fully seeking help that they need. Women who are victims of domestic violence are afraid to report violence in the home because of the fear that their children will be taken from them, regardless of whether the children have been harmed. This accusatory, investigatory, surveilling, and punitive apparatus is put in place where there could be, instead, a truly voluntary, caring, supportive, adequate, and high-quality approach to providing for children's needs, dealing with violence in homes, and supporting family caregivers.

**Walsh Fuchs:** What might some of those things look like in a fairer society? Are there any other countries that you think have a model worth emulating?

**Roberts:** Of all Western nations, the United States has the highest rate of child poverty. It also removes the most children from their families and terminates the most parental rights. It has exactly the wrong policies when it comes to taking care of children. Other nations that are comparable in terms of wealth and resources have a better approach. They have policies that reduce the amount of child poverty

way below the rates seen in the United States: universal healthcare, access to college education without high tuition, housing support, money put directly into the hands of parents. These are policies that we know are effective not only at reducing child poverty but also at improving the welfare of children. Those go hand in hand. In the United States, most children who are taken from their homes and put in foster care are taken on allegations of neglect, which is defined, basically, as an inability to provide for children's material needs. Poverty is the reason that a majority of the children in foster care were placed there. It stands to reason that reducing child poverty would reduce even the notion that foster care would help these children. Other nations, like England, the Scandinavian nations, and Japan, all do a better job of this than the United States does.

Now, having said that, a big part of *Torn Apart*—which is subtitled, “How the Child Welfare System Destroys Black Families”—discusses the racist myths about Black families that fuel this punitive child-welfare system. This is true, too, of the myth that poverty is caused by individuals' deficiencies. So, universal programs to lift children out of poverty are better than what we have in the United States, but it isn't the case that they will necessarily eliminate the child-welfare system. To eliminate the child-welfare system, its foundational logic must be eliminated. In other words, providing income and housing and other kinds of material support, although essential and far better than what we're doing now, will not destroy the long-standing white-supremacist, racist ideologies that are so strong in the United States.

**Walsh Fuchs:** In the *Washington Post*, you wrote that Texas Governor Greg Abbott's crusade against trans kids and their families should be seen as “reflect[ing] the overall design” of the child-welfare system. How can organizers fighting against this extremely harmful directive avoid the movements getting siloed? How can they work together?

**Roberts:** Governor Abbott's directive to child-welfare workers to investigate the families of children who have received or are accused of receiving gender-affirming healthcare should be seen as a reflection of the carceral philosophy and design of the entire family-policing system. Why is it that Governor Abbott could turn to Child Protective Services as a way of punishing and threatening these families to get them to stop providing gender-affirming care for their children? Clearly, it's not to protect the children. LGBTQ children fare terribly in foster care. The system is structured to misgender trans children. And many of the people who work in the system, either as foster caretakers or staff, are biased against queer children.

It's important to understand that Governor Abbott could use this tactic because the entire system is designed to target and punish and disrupt and terrorize marginalized people. It is very important to see that, both so that we understand how the child-welfare system operates and so that we don't silo off the LGBTQ movement's approach from the approach of Black or Native parents who are

advocating to end this system, or of people who understand that this is a system that punishes poverty. It would be a huge mistake for people to care only about the middle-class white families with trans kids we see in the media and leave out the majority of people who are entangled in this system, who are Black, brown, Indigenous, and impoverished white families.

When we don't see the connections between movements that address the targeting of particular groups by the child-welfare system, it weakens both the understanding of how the system operates and the efforts to dismantle the system and replace it with something better.

A judge in Texas temporarily stayed the order [until a trial scheduled for July]. Let's say, eventually, it's declared unconstitutional or illegal. The child-welfare system still proceeds full steam ahead, disrupting hundreds of thousands of families every year. On the other hand, if we do see the connections, not only between movements against assaults by the child welfare system but also between movements to abolish prisons and defund police and the burgeoning movement to abolish family policing, we will have a much stronger movement, because these are all part of the same carceral regime, and they work together and follow the same logic. The criminal legal system and the civil child-protective system are both policing systems that blame survivors of structural inequality for the disadvantages that they face, and they both address social needs, human needs, and conflicts through punishment.

For example, case workers bring police with them all the time when they go to investigate a family. The two working together intensifies the power of each. Police officers would need a warrant to search the house if they were by themselves. But, when they're with a case worker, they can come in and threaten the families with taking their kids away if they don't cooperate. Families usually let the case workers in and the police come in alongside them. And vice versa; a family might have the strength to say, "No, you can't come into my house," if it's a sole case worker at the door. But when they come with an armed police officer, the threat is heightened. And police officers often do the actual act of removing children, who are terrified.

We need to see all of these movements for justice and for ending carceral approaches to human needs as linked. As one giant movement, it could be so powerful in demolishing these cruel, terroristic systems and replacing them with ways of truly caring for one another.

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