



## FOURTH ANNUAL SYMPOSIUM ON FAIRNESS & EQUITY ISSUES IN CHILD WELFARE TRAINING

### *Presentation/Discussion:*

### **Five Poor Excuses for Failing to Address Disproportionality**

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### Summary of Presentation

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The goal of this presentation was to discuss and respond to an increasing number of questions regarding the necessity of addressing racial disproportionality in the child welfare system. Dr. Roberts began by reminding us that although the presentation is titled “Five Poor Excuses for Failing to Address Disproportionality,” it is important to keep in mind that all of these reasons have a kernel of truth to them. Thus, we might also think of these excuses as challenges that we need to grapple with in order to move forward to more effectively address racial disproportionality.

#### ***1. It’s not the child welfare system’s fault, so there is no need to change the child welfare system.***

There are two aspects to this excuse. First, there is the perception that there are more children of color in the child welfare system because they come from more disadvantaged backgrounds, and therefore the solution is to fix the community, society, poverty and racism. This suggests that the child welfare system is simply responding to external forces and that the child welfare system should only be concerned with racially differentiated practices within child welfare. Secondly, disproportionality is a result of more than societal conditions alone. Other systems, including the educational system, the health system, and the welfare system have all contributed to more children being in the child welfare system.

#### ***Response:***

While it is true that children in communities of color may be at greater disadvantage, there is evidence that bias still brings children into the child welfare system. For example, the statistics of newborns born to substance abusing mothers in communities of color are removed at far higher rates than white, middle class mothers. Also, this excuse presents a false dichotomy. Societal conditions, as well as biased decision making, need to be addressed. If you look at the history of US response to Black childhood poverty, you can see that it has changed over time. In the past, the response was to ignore the needs of Black children in contrast to the current response and policy choice to rely on foster care.

## ***2. There's not enough evidence.***

This excuse acknowledges that disproportionality exists, but suggests that more needs to be known before anything can be done to address it.

### ***Response:***

While it is true that more studies need to be conducted, what we do already know needs to be used as a part of a strategy as we move forward. Then new information can be integrated along the way. For example, we don't say that we don't know enough about the possible harmful effects of foster care, so we're not going to place them in foster care. This effort needs an official imperative to take action, for someone in authority or the state legislature to say that this is an important issue that needs to be addressed.

## ***3. It would harm children, #1***

This excuse states that while there may be harms to children that result from practices which lead to racial disproportionality, on balance there are greater benefits, and to keep them out of care would lead to a net harm.

### ***Response:***

Dr. Roberts challenges us to consider whether all of the possible harms of experiencing foster care have been taken into account and whether we have explored alternatives that could be more beneficial to children. This contradiction of the claim that the system is beneficial to children is seen in our lack of concern about groups of children who are underrepresented in the system.

## ***4. It would harm children, #2***

This excuse suggests that if an official policy to address racial disproportionality existed, it would cause workers to become biased in favor of families of color, and children would not be removed when they should be and returned before they should be.

### ***Response:***

There is no evidence that recent child deaths can be attributed to policies that have been implemented to address racial disproportionality. The panicked response after such a tragedy often leads to an increased burden on the system as more children are removed, potentially resulting in workers who are less able to work intensely with families and/or to identify high risk situations.

Again, this excuse presents a false dichotomy in suggesting that you can't be concerned about the safety and well being of children and concerned about the racial disproportionality at the same time.

## ***5. No consensus on the meaning of "addressing disproportionality"***

It is not possible to move forward until there is a consensus about what it means to address racial disproportionality.

***Response:***

Again, this excuse is a true statement, but shouldn't be used as an excuse not to address racial disproportionality. False divisions have been created by some of the different definitions and different strategies that people have developed and implemented to address this issue. However, it is important to recognize that we will need to use multiple strategies to address the issue.

**Comments/Discussion**

*Comment:* It's going to take a lot of time to address these systemic issues and the fact that people have invested self-interests in the system. In the meanwhile, we have to work family by family helping them to become whole.

*Response:* One of the double-edged swords of the child welfare bureaucracy is that there are huge financial interests in keeping things the way they are. We are already spending 20 billion dollars in the US to place children in foster care. Shifting the money to a purpose other than locking them up or maintaining them in foster care is harder because there are people who have a vested interest in keeping things the way they are.

*Comment/Question:* In many ways, cultural competence training is missing the mark. You can't address cultural competence until you address social incompetence and understanding the perniciousness of racism, by understanding that violence is the number one health issue, and that racism is one of the worst forms of violence. As the adage goes, "Racism, getting sick was not our fault, but getting well is our responsibility." How do we push legislators to push the issue, to institute law that says that we need to address racial disparities?

*Response:* In order to move state legislatures, you need a lot of constituents who demand change. With the federal sentencing guidelines, a group of federal judges refused to apply the sentencing guidelines and they stood up against what they considered an unjust law. I haven't studied why in some states laws have been passed requiring that racial disproportionality be addressed and how and where practice meets politics, but moving legislation to address racial disproportionality is both a political as well as a practice issue.

*Comment:* It is surprising at how unbelievable this issue is to people who have not been exposed to it before. The process of informing people about the scope of the problem is a slow process. One of the issues that has started to surface in training related to fairness and equity is a backlash that suggests that it is reverse discrimination.

*Response:* The dominant social policy in the United States is a colorblind ideology that suggests that racism and racial disparities don't need to be addressed at all and that, if one attempts to address issues of race, then that person is the one being racist. One effective way to challenge this philosophy is to show how it starts from a false premise and all of the ways in which race

affects people's lives in the United States, even today. This can be accomplished through sharing personal stories, statistics and a history of the child welfare system that, regardless of policy, has consistently harmed Black families. If we start from that recognition, the only way to change those practices would be by drawing attention to it. Being colorblind keeps things as they are. It isn't reverse discrimination to correct a structural bias that exists now and not to act to correct it would be to perpetuate racism.