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Protective Services or Protecting the Service? An Analysis of the United States Child Protection System

Margaret Ann Donnell

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written by

Margaret Ann Donnell

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_____Dr. Myra Ann Houser_____
, thesis director

_____Dr. Randall D. Wight_____
, second reader

_____Dr. Ray Franklin_____
, third reader

_____
Dr. Barbara Pemberton, Honors Program director

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Abstract

In its recent history, the United States child protection system has proven to fulfill a desperate need within our nation regarding the welfare and well-being of our nation's children. An overview of the child protection system's development shows tremendous progress has been made. And yet, what was created to be a solution to the growing number of children experiencing maltreatment in the form of abandonment, abuse, and/or neglect, has potentially become the very problem. Statistics illustrate just how serious the situation has and will continue to become if something is not done. Serious concerns have arisen and remain, and individuals have become increasingly frustrated and disappointed at the inadequacy of our current system. As it stands, the United States child protection system is ultimately harming the very individuals it was originally created and intended to serve. Due to the nature of our system, three already vulnerable populations are being placed at a greater disadvantage. Thus, our child protection system is in desperate need itself: a need that can only be satisfied by true reform. It is important to consider where that reform begins, whether it is at the federal, state, or local level. However, it is equally important to consider the perspectives of those who are directly affected by and experiencing first-hand the system at its worst. Ultimately, it comes down to whether our system contributes to the protection of our children or whether it continues to protect itself from our children.

Keywords: United States child protection system, child maltreatment, vulnerable populations, reformation

Introduction

I want to begin with a story, a story that is deeply personal and is undoubtedly a defining element of my being. In 1998, a young woman by the name of Katherine[1] was at the University of Arkansas on a volleyball scholarship. By a series of events, she found herself in a situation where she quite possibly never could have dreamt or imagined herself: she was pregnant. She had to make a decision, one that would not only alter her life, but the potential life of the baby inside of her.

Whether she realized it or not—I do not know if this was the case—she had options. She could a) terminate her baby, leaving it to only be a figment of "what once was," b) carry the baby to term and raise it, ultimately creating a more difficult life for the both of them, or c) place the baby for adoption, with the hope that the two of them would both be better off without the other. Acting selflessly, with both her and her baby's best interest in mind, Katherine made the decision to willingly relinquish her parental rights and place her baby for adoption. The baby girl Katherine delivered, without even being twenty-four hours old, was adopted into a family that lavished upon her the finest luxuries one could afford their child: a roof over their head, food on the table, clothes on their back, and a community of unwavering support and unconditional love. Throughout her childhood, although knowing she was adopted, that little girl never questioned whether she was wanted, beloved, protected, or cared about.

Because of her birth mother's decision, that baby—who is now a young woman herself—can sit here today and share with you her story. Because of my birth mother's decision, I can sit here today and share with you my story. I can tell you that I am one of the

[1] The name of the individual has been changed for confidentiality.

lucky ones, one of the few whose story is not written with pain or suffering or trauma.[2] Unfortunately though, my story is extraordinary and by many standards, exceptional. While I can share the label of "adopted" with seven million individuals in the United States, I cannot share the experience of the four hundred and twenty eight thousand children who are waiting in foster care to be adopted.[3] And for that, I am grateful, but also deeply saddened by the weight of their situation.

A vast majority of the children in foster care find themselves there after falling victim to child abuse and neglect at the hands of a trusted adult. As a matter of fact, in 78.1% of substantiated cases of child maltreatment, the perpetrator was the parent of the victim.[4] In and of itself, this statistic is shocking. Moreover, when one considers the sheer number and rate of victims per year, it is even more so. According to the *Child Maltreatment 2018* report, the 29th edition to be produced by the U.S. Department of Health and Human Services, "the number and rate of victims have fluctuated during the past [five] years. Comparing the national rounded number of victims from 2014 (675,000) to the national rounded number of victims in 2018 (678,000) shows an increase of 0.4 percent."[5] While that may seem like a miniscule increase, it is still entirely unacceptable. The national crisis of child maltreatment not only

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[2] I want to make a clarification here that I am not sharing this as a universal truth. I acknowledge there are some adoptees who were placed at birth that have still experienced trauma due to their placement.

[3] "US Adoption Statistics," Adoption Network (Adoption Network Law Center), accessed January 23, 2020, https://adoptionnetwork.com/adoption-statistics).

[4] "National Statistics on Child Abuse." National Children's Alliance. Accessed January 22, 2020. https://www.nationalchildrensalliance.org/media-room/nca-digital-media-kit/national-statistics-on-child-abuse/.

[5] U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2020). *Child Maltreatment 2018.* Available from https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/child-maltreatment.

affects the children and their future, but also impedes the future of our country as a whole. Something must be done; we must be proactive rather than reactive toward the problem at hand.

I propose that "something" is a radical reformation of the United States child protection system.[6] My vision is to reconcile and restore broken families, communities, and institutions. I believe at the core of the reconciliation and restoration processes is examining—and a continuous reexamination of—the role each major player has in contributing to the current state of affairs. Many different perspectives need to be accounted for, while the beholders of these perspectives must simultaneously be held accountable. Every individual involved plays an indispensable role, and while each entity is independent, they are concurrently interdependent on one another.

Throughout this thesis, I intend to provide a thorough analysis of the United States child welfare system with a focus on the need it has fulfilled in our country through its creation and development, and the unique challenges it poses for the very individuals it was meant to serve.[7] I will go about doing so in a similar manner to this introduction. When appropriate, I include statistics and narratives to provide a clearer picture of the topic of discussion. Including both of these seemed absolutely necessary, as each one serves a distinct purpose that I believe are important to explicitly state. The statistics are given to provide concrete justification for the

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[6] I fully recognize and admit that this task may not be the most viable, but I do believe it is certainly probable at the very least. Fleshing this idea out in its entirety is beyond the scope and size of this thesis, but I do intend to at least discuss it in some detail throughout the following pages.

[7] This thesis is meant to provide a survey of the United States child protection system and the ways it could negatively impact certain vulnerable populations. By no means is it the end of the line for this discussion but is merely the beginning of laying a foundation for future ones.

arguments presented based on the meticulous and methodological science behind each conclusion made. Building on the statistics are the narratives which give a face and a meaning to the numbers. With these stories, they are no longer numerical values, but real human beings whose lives are being affected. I will conclude with a brief word on the importance of righting the system's wrongs through reformation.

Without further ado, I believe it is time to begin a difficult conversation on the strengths and weaknesses of our nation's child protection system. In many ways, it is sufficient and has fulfilled a great need within our country. However, in some ways it has greatly failed to protect—and often has undermined and betrayed—the very individuals it was originally created to serve. Heed my warning that this is a sensitive subject that should not be understated or overlooked. I hope that I can do right by the individuals involved in this system, giving credit where credit is due, and by making humble observations with minimal assumptions and subjectivity. I encourage you to not take this conversation lightly, but to critically question and reason along with me as I attempt to piece through the complexities of the United States child protection system.

Overview of the United States Child Protection System

Before proceeding further, it is imperative to establish at least a basic understanding of the United States child protection system as it currently stands. To do so, we must track its relatively recent development, from colonial times to the present day. Doing just that, John E. B. Myers produced a brief yet extensive history of child protection in America, and the following information regarding its historical roots was taken largely from his work.[89]

[8] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

Historical Background

According to E. B. Myers, the history of the United States child protection system is easily divisible into three main eras: 1) from colonial times to 1875, characterized by the lack of organized child protection, 2) from 1875 to 1962, characterized by the creation and growth of privatized[10] child protection societies, and 3) from 1962 to now, characterized by our modern-day system of government-sponsored child protection services.

Prior to the creation of the New York Society for the Prevention of Cruelty to Children in 1875, there was no organization in the world devoted solely to child protection. However, while there was no designated system, *per se*, we do see that even in its absence, there were still cases where individuals intervened on the behalf of children, prosecuting individuals for their maltreatment. Moreover, there are recorded instances where the governing body removed a child from the family or home. While it seems to go unstated, even though the authority to remove was not explicitly granted by a statute, by the nature of their position the judges and magistrates had the power to do so. Evidently, during this time intervention for the protection of children was practiced albeit sporadically.

As previously stated, standardization of child protection in the United States really did not occur until 1875. Two individuals, Henry Bergh and Elbridge Gerry, disappointed by "the

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[9] Myers's crafts his piece more thematically than anything. An interesting resource that also proved to be quite helpful in understanding the child protection system's evolution was Kasia O'Neill Murray and Sarah Gesiriech's piece entitled, "A Brief Legislative History of the Child Welfare System," which can be found in the bibliography.

[10] Interestingly enough, although our child protection system was predominantly governed by private entities for numerous decades—and despite a few recent shifts in a handful of states—Don Lash argues in his book, "*When the Welfare People Come,"* that this urge to reinstate private child protection agencies is not all it is made out to be. I have included this book in the bibliography, as it was a great resource that eloquently describes the relationship between race, class, and the child protection system with clarity and class.

fact that no government agency or nongovernmental organization was responsible for child protection,"[11] formed the New York Society for the Prevention of Cruelty to Children. Within roughly fifty years, the number of nongovernmental child protection societies increased to three hundred. But as promising as that number sounds, it is much less so when one considers the fact that many major cities and practically all rural areas still failed to have access to such societies.

While it is unclear whether this fact was a driving factor, early in the twentieth century many were advocating for the government to take greater responsibility in the realm of child protection, just as there was a push for an increased state and federal role regarding social services. The government did just that by developing the federal Children's Bureau in 1912, then the Sheppard-Towner Act, lasting from 1921-1929, and the Social Security Act, as part of President Roosevelt's New Deal programs, of 1935. Further compounding these actions' effect on child protection's shift from nongovernmental agencies to governmental ones was the Great Depression.

Since most of the nongovernmental agencies were charitable organizations and dependent on donations, they were heavily and negatively affected by the consequences of the Great Depression. More specifically, the decrease in disposable money, and thus the decrease of ability and/or willingness to donate, diminished these agencies' operations. Despite nongovernmental agencies' demise, only a few states felt compelled to reinstate governmental bodies to assist in providing child protection services. However, in the states that did offer such services, the services themselves were often not state-wide nor were they available around the

[11] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

clock. Indeed, "for the first [six] decades of the 20th century, protective services in most communities were inadequate and in some places nonexistent."[12] But it was during the 1960's, and thankfully so, that there was a resurgent interest in child abuse and neglect, and this interest stemmed from one of the most unlikely of places—or at least it probably seemed so at the time.

The medical profession, beginning in 1962 with the publication of "The Battered-Child Syndrome" by pediatrician Henry Kempe, began to take notice. At the time, Kempe was one of very few who professionally researched and wrote on abuse; prior to 1962, there really was not much at all in the body of literature. Yet following his writing, that would no longer be the case.

But really, the year 1962 as a whole held great promise. Not only did Kempe publish his riveting article, but the Children's Bureau in Washington D.C. held two meetings in which the bureau would be advised by experts on "how it could more effectively help states respond to child abuse."[13] In fact, "these meetings were the genesis of child abuse reporting laws, the first four of which were enacted in 1963. By 1967, all states had reporting laws."[14] Once these reporting laws were in effect, it became much more apparent just how prevalent child abuse and neglect was throughout the country; in about thirty years, the number of cases spiked from 60,000 to 3 million. Even with this drastic increase, the United States government still maintained a minor role in child protection.

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[12] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.
[13] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.
[14] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

The federal government finally assumed its leadership role in child protection when Congress passed the Child Abuse Prevention and Treatment Act of 1974. With its passing, this act - authorized federal funds to improve the state response to physical abuse, neglect, and sexual abuse; focused attention on improved investigation and reporting; providing funds for training, regional multidisciplinary centers focused on child abuse and neglect, and demonstration projects; played a major role in shaping the nationwide system of governmental child protection services in place today; and marked the final passing of privately funded, nongovernmental child protection societies.[15] A new agency, the National Center on Child Abuse and Neglect, was formed to administer the new act as well as conduct important research on maltreatment.

Because of the newly established child protection laws and the increased awareness about child abuse and neglect, there was a corresponding increase in intervention. In 1980, Congress passed the Adoption Assistance and Child Welfare Act (of 1980) out of concern for the rising number of children in long-term foster care.[16] With its passing, this act required states to make "reasonable efforts" to avoid removing children from maltreating parents and to reunite families when removal was necessary, as well as to develop a "permanency plan" for each child in foster care to return home or move toward termination of parental rights."[17]

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[15] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

[16] I recognize I have introduced a new term without clarifying the distinction between it and the child protection system, as there is a difference. I will do so later in this section.

[17] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

The act also provided financial incentives for adoptive parents, for children who could not go home, and financial support for adoptive parents who adopted children with special needs.[18]

A key defining characteristic of the Adoption Assistance and Child Welfare Act of 1980 and child protection throughout the 1980's was the idea of "family preservation," or simply keeping families together whenever it was safe and possible to do so. In the 1990's, though, this idea came under scrutiny and was heavily criticized. However, this emphasis on "family preservation" did not result in a decreased number of children in the foster care system. Critics argued that the push for states to make "*reasonable* efforts"[19] and to work towards "family preservation," both mandated by the Adoption Assistance and Child Welfare Act (of 1980), did more harm than good for children as these two requirements often left them in dangerous home environments.

In 1997, Congress responded to this criticism by passing the Adoption and Safe Families Act. At the core of this act was child safety, but not necessarily in opposition to family preservation. Two major changes came from this act: 1) Strict timelines for returning children to their families or terminating parental rights must be set when children enter foster care and 2) States can forego efforts to reunify the family and can move directly to termination of parental rights in cases of chronic physical abuse and sexual abuse.

Specifically in the case of sexual abuse, this was a major turning point. Only twenty years prior, sexually abused children were protected, but their abuse was largely unrecognized, or at least to the same degree that physical abuse was at that point. Even at the beginning of

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[18] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

[19] The italics are mine and used for emphasis. I am being facetious here, as this word in particular was broadly interpreted.

that decade, sexual abuse really was perceived to be non-existent or minimal. The shift in focus in the 1970's towards sexual abuse can be attributed to two main factors—the child protection system and its reporting laws, and new research that highlighted the prevalence and devasting effects of sexual abuse. Because of these two developments, sexual abuse came to the forefront of discussion regarding child maltreatment.

In the conclusion of his chapter, Myers states that he believes Vincent De Francis, one of the pioneers of the United States child protection system, "would say that[,] although today's child protection system has many problems[,] today's system is a vast improvement over the incomplete patchwork that existed in the 1960s."[20] I am inclined to agree with him, especially when I read Myers' final statement of the chapter: "Today, CPS is available across America, billions of dollars are devoted to child welfare, and thousands of professionals do their best to help struggling parents and vulnerable children."[21]

When put into those terms, it seems as though we have made leaps and bounds in the area of child protection—and as a country we have certainly done just that. However, no matter the progress forward we have made, I do believe that the criticisms raised in the last quarter of the twentieth century speak volumes. Such criticism—that the foster care system has potentially backtracked from being the solution to the problem—resonates deep within me: someone who is, at most, almost a half-century removed from them. Surely in that time we, as a country, have done better to address these criticisms.

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[20] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

[21] Myers, John. (2008). A Short History of Child Protection in America. Family Law Quarterly - FAM LAW QUART. 42. 449-463.

Unfortunately, I do not see that currently being the case. But before I dive too deeply into analyzing the current state of our system and the parties involved, I should first briefly explain our modern-day child protection system.

Child Protection as it Currently Stands

According to the Center for Advanced Studies in Child Welfare at the University of Minnesota, the child welfare system is "a group of public and private services that are focused on ensuring that all children live in safe, permanent and stable environments that support their well-being" and ultimately has three main goals: securing a child's safety, permanency, and well-being.[2223] To achieve these goals, the child welfare system can take various roles, as outlined by the Child Welfare Information Gateway below:

> Child welfare systems typically receive and investigate reports of possible child abuse and neglect; provide services to families that need assistance in the protection and care of their children; arrange for children to live with kin or with foster families when they are not safe at home; and arrange for reunification, adoption, or other permanent family connections for children leaving foster care.[24]

A child's involvement in the child welfare system often begins when a call is made to a hotline when there is reason to believe, based on various signs and symptoms[25] being exhibited, that a child may be experiencing maltreatment. From there

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[22] "Definitions & Questions about Services: Child Welfare." Center for Advanced Studies in Child Welfare, 2013.

[23] Each goal of the child welfare system is expanded upon in the "Adoption and Safe Families Act."

[24] Child Welfare Information Gateway. (2013). *How the child welfare system works.* Washington, DC: U.S. Department of Health and Human Services, Children's Bureau. This is a great fact sheet that succinctly outlines in detail the complexities of how the child welfare system works.

[25] A brief yet extensive list of signs and symptoms can be found in the bibliography under Child Abuse.

> ... the ['designated state or local (county-based) child welfare agency'] decides whether to accept the report and investigate it, and then decides on a course of action related to the outcome of that investigation.[26]

Child maltreatment is often found in four main forms: neglect, physical abuse, sexual abuse, and psychological maltreatment.[27] In the fiscal year 2010, the following breakdown of child maltreatment was observed:

- 78.3 percent neglect
- 17.6 percent physical abuse
- 9.2 percent sexual abuse
- 8.1 percent psychological maltreatment
- 2.4 percent medical neglect
- 10.3 percent other, such as abandonment or threats of harm to the child

Child neglect, the most common form, comprising seventy-five percent of all cases, is defined by "omissions in care that may result in significant harm or the risk of significant harm and is characterized by the failure of a parent or caregiver to provide for the child's basic needs." These basic needs include physical, medical, educational, and/or emotional. Physical abuse is defined as "non-accidental physical injury that is inflicted by a parent, caregiver, or other person who has responsibility for the child" even if "the caregiver [did not intend] to hurt the child and can result from severe discipline or physical punishment that is inappropriate to the child's age or condition." Sexual abuse "generally refers to sexual acts, sexual exploitation, or sexually motivated behaviors involving children." And finally, psychological maltreatment, also known as emotional abuse, "is a repeated pattern of parental or caregiver behavior that

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[26] Peterson, Anne C, Monica N Feit, and Joshua Joseph. "The Child Welfare System." In *New Directions in Child Abuse Research*, 175–244. The National Academies Press, 2014.

[27] All of the following definitions and information regarding the four main forms of child maltreatment found in this paragraph were taken from "Section 2: Understanding the Child Welfare System." U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau. Available from https://training.cfsrportal.acf.hhs.gov/book/export/html/2977.

communicates to the child that he or she is worthless, unloved, unwanted, or endangered." This is one of the more difficult forms to prove, so in order to be substantiated, the abuse must be sustained and repetitive.

Simply because child maltreatment is found during an investigation does not necessitate the removal of a child from the home. In these instances, the family is provided with resources to improve their situation.[28] A child is removed only when the home environment is considered to be a high-risk situation and has been deemed "unsafe" for them to remain in. If this is the case, a child is placed in temporary out-of-home placement including family foster care, kinship care, treatment foster care, residential or group care, and emergency care.[2930] In some cases, there is even a change in parental and legal authority, either through (state) guardianship or adoption; the difference between the two being the required termination of parental rights involved in the latter.[31]

Division of Responsibility for Child Protection

While it has yet to be explicitly stated, it is imperative to understand that overseeing and monitoring child protection is altogether a local, state, and federal government responsibility. The welfare of our nation's children is dependent on the overlapping yet

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[28] "Section 2: Understanding the Child Welfare System." U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau. Available from https://training.cfsrportal.acf.hhs.gov/book/export/html/2977.
[29] Peterson, Anne C., Monica N. Feit, and Joshua Joseph. "The Child Welfare System." In *New Directions in Child Abuse Research*, 175–244. The National Academies Press, 2014.
[30] "Section 2: Understanding the Child Welfare System." U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau. Available from https://training.cfsrportal.acf.hhs.gov/book/export/html/2977.
[31] "Section 2: Understanding the Child Welfare System." U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau. Available from https://training.cfsrportal.acf.hhs.gov/book/export/html/2977.

distinctive role each governing body plays in ensuring that each child is living in safe, stable, and permanent conditions. The division of responsibility is equal parts valuable, harmful, and ambiguous.

By sharing the responsibility for child protection, it is almost guaranteed that no one level becomes overburdened by the weight of the situation.[32] However, it is this same share of responsibility that often blurs the lines of blame when a problem arises, whether that problem be within the system itself or in the society at large.[33] Even so, it is important to recognize these governing bodies, especially the state and federal governments, for accepting this responsibility, and working diligently to educate themselves in order to skillfully execute child protective services well.[34]

According to the National Conference of State Legislatures, every year the state and federal governments spend upwards of twenty-five billion dollars on child welfare services, "with state legislators playing a major role in funding, structuring, and overseeing child welfare systems and enacting more than 300 child welfare bills every year."[35] These legislators utilize such data like those provided by *Child Trends* so that they are equipped with "crucial details

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[32] Although I do acknowledge that in many states the social workers and the greater system is often overwhelmed by the sheer amount of cases on the docket.

[33] Examples of these would be the disproportionate representation of certain populations — which a good portion of this thesis is devoted to exploring — and the current coronavirus pandemic, respectively.

[34] While the federal government has issued legislation concerned with child protection, child welfare, and adoption—see page three of "Major Federal Legislation Concerned with Child Protection, Child Welfare, and Adoption" by the Child Welfare Information Gateway in the bibliography for a timeline of such legislation—the majority of the work falls on the state legislatures.

[35] The National Conference of State Legislatures is a great resource as it "tracks legislation and provides legislators and staff research and technical assistance on foster care, adoption, child maltreatment, kinship care and more." I have included it in the bibliography for easy access.

about the populations they serve" to better "understand how many children and youth came in contact with the child welfare system [in their respective state in a given fiscal year], and why."[36]

It almost goes without saying that devising, implementing, and assessing child protective services is a feat in and of itself. Though no matter how educated state legislators might be, and despite their best intentions in many cases, there are some vulnerable populations that almost inevitably are disproportionately represented within the child welfare system and/or are more adversely affected by coming into contact with it. In the following section, just a few of these populations will be outlined as well as the challenges they may face simply because of their involvement in the system.

Vulnerable Populations in Regards to Child Protective Services

A child's development can be seriously compromised not only by the abuse, neglect, and trauma they have experienced, but also by their placement into the foster care system—especially if they have received multiple placements and/or were placed early on in their life. Negative effects on a child's physical and mental health, educational attainment, behavior, and interpersonal relationships have been observed; differences depending on placement—most notably between kinship and non-relative care—have been observed as well. These effects can be further compounded by other characteristics of the specific child—race, socioeconomic status, sexual orientation, and age. Some of these characteristics constitute the basis for some of the most vulnerable populations in regards to child protective services.

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[36] "State-Level Data for Understanding Child Welfare in the United States," Child Trends, February 26, 2019, https://www.childtrends.org/publications/state-level-data-for-understanding-child-welfare-in-the-united-states).

But before outlining some of the more vulnerable populations and the challenges they may face due to the involvement in the child welfare system, I want to make it very clear that I am not putting the sole blame on the system nor on its enactors for the challenges these individuals may and do face; I am simply noting that there is a possibility for the two to be related in some way, and that relation can potentially be rooted in their contact with one another.[37] I also want to make one final note before proceeding and that is to take note of the order in which these vulnerable populations are written, as this is just as important as the information shared about each one.

Race[38]

On the surface, there does not seem to be a disparity in terms of the racial and ethnic composition of the foster care system. In 2018, the three most prevalent races and ethnicities in foster care were White, Black or African American, and Hispanic (of any race). The number of children of each one was 193,117, 99,025, and 90,688 respectively.[39]

But when these numbers are broken down by state and those numbers are compared to the general populous of the state, both overrepresentation and underrepresentation are readily apparent. To be sure, "overrepresentation occurs in foster care when one demographic group's share of the total foster care population greatly exceeds the share of the total state

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[37] One of the vulnerable populations to be mentioned has more recently become synonymous with a certain political identity. For the purposes of this paper, it is to be used as a descriptor and nothing more.

[38] This specific population warrants an entire thesis devoted to it alone, as the body of research on this topic continues to expand. As much as I would like to have gone deeper with it, for this thesis it was not viable to do so.

[39] Erin Duffin, "Foster Care in the U.S. - Number of Children, by Race/Ethnicity 2018," Statista, November 26, 2019, https://www.statista.com/statistics/255404/number-of-children-in-foster-care-in-the-united-states-by-race-ethnicity/).

population accounted for by that demographic."[40] To illustrate these discrepancies, I want to provide you with examples from three of our country's four most populated states: California, Texas, and New York.

In 2014, *The Chronicle of Social Change* released a new installment to their "Focus on the Figures" series in which they analyzed the relationship between race, demographics, and foster care in the state of California in 2012. According to kidsdata.org, the number of White, African American/Black, and Latino children in California's foster care system respectively was 13,677, 13,016, and 26,181. Based on those numbers, Black and White children were practically equal (comprising twenty-four and twenty-five percent of the foster care population), with Latino children nearly matching the two of those combined.[41]

But, just as it was with the number of children in foster care by race and ethnicity in the United States in the opening paragraph of this section, there does not seem to be much of a difference between them. However, when compared to the estimates from California's Department of Finance, the numbers speak volumes about representation in the state's foster care system. California's population in 2012 was roughly 27% White, 6% Black, and 51% Latino; from a statistical standpoint, White and Latino children are underrepresented while Black children are four times what would be expected.[42]

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[40] John Kelly, Christie Renick, and Jim Roberts, "Focus on the Figures: Race, Demographics and Foster Care," The Chronicle of Social Change, March 24, 2015, https://chronicleofsocialchange.org/featured/focus-on-the-figures-race-demographics-and-foster-care/5330).

[41] "Child Population, by Race/Ethnicity," Kidsdata.org, accessed March 7, 2020, https://www.kidsdata.org/topic/33/child-population-race/pie#fmt=144&loc=2&tf=67&ch=7,11,726,10,72,9,73,87&pdist=73).

[42] "Child Population, by Race/Ethnicity," Kidsdata.org, accessed March 7, 2020, https://www.kidsdata.org/topic/33/child-population-race/pie#fmt=144&loc=2&tf=67&ch=7,11,726,10,72,9,73,87&pdist=73).

I cannot say why that was the case for California in 2012, and one may be inclined to argue that it was a "freak accident" or is even just a state-specific phenomenon. However, similar patterns of representation were measured in Texas from a study published in the *Children and Youth Services Review* in May 2017. From administrative data accounting for fiscal years 2002-2013, researchers were able to come to two eerily similar conclusions: 1) "The mean predicted probability of foster care placement [was] 2.5 percentage points higher for Black children relative to White children," and 2) "There [was] not a statistically significant difference in the predicted probability of foster care placement between Hispanic children and White children."[43] Again, I cannot say with confidence what is contributing to these discrepancies—again, that have been observed in two very different states—but I want to give you one more example to consider for yourself.

It is almost ironic that New York, the very state child protection services first originated in our country, is included in this section. In fact, New York state has witnessed its own "epic struggle"—particularly within New York City—to change its foster care system.[44] Even so, despite the progress made in recent decades, New York state has somehow still become a breeding and feeding ground for "a troubling and longstanding phenomenon" in which the

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[43] Nicholas E. Kahn and Mary Eschelbach Hansen, "Measuring Racial Disparities in Foster Care Placement: A Case Study of Texas," *Children and Youth Services Review*76 (2017): pp. 213-226, https://doi.org/10.1016/j.childyouth.2017.03.009).

[44] A compelling and heart-wrenching account of this struggle—through the experiences of a young mother in foster care and her son and the relentless efforts of an ACLU attorney—are detailed in "The Lost Children of Wilder: The Epic Struggle to Change Foster Care" by Nina Bernstein. It was a challenging and insightful read, and deserved to be included in the bibliography.

Administration for Children's Services "...[takes] children from their parents on the grounds that the child's safety is at risk, even with scant evidence."[45]

If that statement alone is not troubling enough, the statistics are sobering:

> The [Administration for Children's Services'] requests for removals filed in family court rose 40 percent in the first quarter of 2017, to 730 from 519, compared with the same period last year, according to figures obtained by The New York Times.[46]

The lawyers who are working on these very cases are advocating for clients whom they say "have few resources" and "are predominantly poor black and Hispanic women."[47] Due to the "criminalization of [these women's] parenting choices" has led the agency's practices and actions to become affectionately known as "Jane Crow."[4849] Just a few of those who have experienced "Jane Crow" firsthand are highlighted throughout that same New York Times article.

Evidently, the disproportionate representation of Black children in the United States foster care system is unfortunately not all that uncommon; as I have noted already, this phenomenon has been easily observed in three of our nation's largest states. This logically begs

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[45] Stephanie Clifford and Jessica Silver-Greenberg, "Foster Care as Punishment: The New Reality of 'Jane Crow'," *The New York Times*, July 23, 2017, New York edition, sec. MB, https://www.nytimes.com/2017/07/21/nyregion/foster-care-nyc-jane-crow.html).
[46] Stephanie Clifford and Jessica Silver-Greenberg, "Foster Care as Punishment: The New Reality of 'Jane Crow'," *The New York Times*, July 23, 2017, New York edition, sec. MB, https://www.nytimes.com/2017/07/21/nyregion/foster-care-nyc-jane-crow.html).
[47] Stephanie Clifford and Jessica Silver-Greenberg, "Foster Care as Punishment: The New Reality of 'Jane Crow'," *The New York Times*, July 23, 2017, New York edition, sec. MB, https://www.nytimes.com/2017/07/21/nyregion/foster-care-nyc-jane-crow.html).
[48] Stephanie Clifford and Jessica Silver-Greenberg, "Foster Care as Punishment: The New Reality of 'Jane Crow'," *The New York Times*, July 23, 2017, New York edition, sec. MB, https://www.nytimes.com/2017/07/21/nyregion/foster-care-nyc-jane-crow.html).
[49] "Jane Crow" is a play on words of the infamous "Jim Crow" laws that defined the legal enforcement of racial segregation in the Southern United States in the late 19th-century and throughout the early 20th-century.

the question—where did such overrepresentation originate in our country, and why has it continued for as long as it has?

Dorothy Roberts in her book *Shattered Bones* believes she may have an answer. She identifies racial injustice—more specifically, economic disparity due to racial injustice—at the root of the problem and purports "that child welfare policy reflects a political choice to address startling rates of Black child poverty by punishing parents instead of tackling poverty's societal roots."[50] In other words, she contends that our nation has systematically disadvantaged African Americans so much that as this disenfranchisement begins to manifest in our society, we as a nation have no other alternative—or so we believe—but to place blame on the parents rather than on our own faults. To her, righting our institutions' wrongs means wronging those who may very well be in the right.

"Aged Out" Youth

The transition from youth into adulthood throughout "most of American history has been … angst ridden [and] filled with insecurity, self-doubt, and uncertainty."[51] I believe it is reasonable to assume that during this stage of life, every single one of us experienced such feelings; it is almost natural to do so and normal to some degree. Yet for a particular group of

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[50] Dorothy E. Roberts, *Shattered Bonds: the Color of Child Welfare*(Sydney, Australia: RHYW, 2010).

[51] Steven Mintz, "The Tangled Transition to Adulthood," Psychology Today (Sussex Publishers, August 4, 2015), https://www.psychologytoday.com/us/blog/the-prime-life/201508/the-tangled-transition-adulthood-0).

individuals, this transition not only carries with it the emotional baggage of change—like those mentioned above—but it also poses "a unique set of barriers to independence."[52]

For those individuals, a smooth and successful transition is considered improbable. The individuals I am referring to are those who are labeled "youth in transition," "transition age youth," or "youth aging out."[53] The underlying idea, notwithstanding the label given, is that these individuals have reached a certain age—which varies by state—for which the government is no longer mandated to provide assistance for them. Consider these unnerving statistics concerning "aged out" youth:[54]

- After reaching the age of 18, 20% of the children who were in foster care will become instantly homeless.
- Only 1 out of every 2 foster kids who age out of the system will have some form of gainful employment by the age of 24.
- There is less than a 3% chance for children who have aged out of foster care to earn a college degree at any point in their life.
- 7 out of 10 girls who age out of the foster care system will become pregnant before the age of 21.
- The percentage of children who age out of the foster care system and still suffer from the direct effects of PTSD: 25%.

Now think of these statistics in light of this one: it is estimated that more than 23,000 of the 443,000 children in the United States foster care system will "age out" each year. While 5% does not seem all too convincing of a number to warrant this population to require special attention, the devastatingly high price that our nation's taxpayers face might. After considering

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[52] Berzin, Stephanie & Rhodes, Alison & Curtis, Marah. (2011). Housing experiences of former foster youth: How do they fare in comparison to other youth?. Children and Youth Services Review - CHILD YOUTH SERV REV. 33. 2119-2126. 10.1016/j.childyouth.2011.06.018.
[53] "Transition & Aging Out," Transition & Aging Out | Youth.gov, accessed January 9, 2020, https://youth.gov/youth-topics/transition-age-youth).
[54] Nfyiadmin, "51 Useful Aging Out of Foster Care Statistics: Social Race Media," National Foster Youth Institute, May 26, 2017, https://www.nfyi.org/51-useful-aging-out-of-foster-care-statistics-social-race-media/).

the cost of academic failure, criminal justice involvement, and early pregnancy among young women in this population, it was determined that "nearly $8 billion [could be] saved for each annual wave of young people exiting foster care."[55] Undeniably, the "aged out" youth population within the foster care system is adversely impacted by the child protective system; but we as citizens have failed to do our part, too.

Young Mothers

It has been well-established that there is an intergenerational component to foster care in which children of individuals who are or were involved in the system have a greater likelihood of finding themselves involved as well. In fact, a study conducted in Manitoba, Canada,[56] and published in *Pediatrics* in June 2018 found that "half of children born to teen mothers in foster care will also enter the child welfare system by their second birthday."[57] But that is not all these researchers found. To be more specific,

> Of those mothers in foster care, 25 percent had their child removed within the first week of life. For another 17 percent, the removal occurred after that first week, but before the child's first birthday. An additional 7 percent had a child taken into care between their first and second birthdays.[58]

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[55] The Annie E. Casey Foundation. *Cost Avoidance: The Business Case for Investing In Youth Aging Out of Foster Care*. Baltimore: The Annie E. Casey Foundation, 2013. Accessed March 2, 2020. https://www.aecf.org/resources/cost-avoidance-the-business-case-for-investing-in-youth-aging-out-of-foster/.

[56] I recognize that my argument involves the American foster care system, not the Canadian. However, these were statistics I could not just simply glance over. If further research on my part had been done to understand their system, I am sure there would be overlap with ours. Thus, I did not see the harm in including it in this discussion.

[57] Sara Tiano, Victor Valle, and John Kelly, "Study: Half of Kids Born to Teen Moms in Foster Care Will Wind Up in Foster Care Themselves," The Chronicle of Social Change, June 25, 2018, https://chronicleofsocialchange.org/research-related/study-parenting-foster-youth/31352).

[58] Sara Tiano, Victor Valle, and John Kelly, "Study: Half of Kids Born to Teen Moms in Foster Care Will Wind Up in Foster Care Themselves," The Chronicle of Social Change, June 25, 2018, https://chronicleofsocialchange.org/research-related/study-parenting-foster-youth/31352).

To put that into perspective, the rate in which out-of-care mothers had their children removed by their second birthday was ten percent.[59] In comparison, "adolescent mothers who were in the care of CPS when they gave birth are more than 7 times more likely to have their child taken into care before age 2 than adolescent mothers who were not in care."[60] But again, if one were to "[look] only at the first week after birth, moms in foster care are over 11 times more likely to see their child removed during that time frame."[61] By all accounts, this is absolutely unacceptable.

Another confounding factor to the intergenerational cycle is the fact that "children who spend time in the care of child protection services (CPS) have higher rates of adolescent pregnancy."[62] Research shows that, when compared to their peers who have not been involved in the system, "young women in foster care are more than twice as likely to become pregnant as a teen."[63] We should find this alarming as the United States's rates of teenage pregnancy are the highest of the developed nations and are over half that of Canada. If the statistics are that

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[59] Sara Tiano, Victor Valle, and John Kelly, "Study: Half of Kids Born to Teen Moms in Foster Care Will Wind Up in Foster Care Themselves," The Chronicle of Social Change, June 25, 2018, https://chronicleofsocialchange.org/research-related/study-parenting-foster-youth/31352).
[60] Elizabeth Wall-Wieler, Marni Brownwell, Deepa Singal, Nathan Nickel, and Leslie L. Roos. "The Cycle of Child Protection Services Involvement: A Cohort Study of Adolescent Mothers." *Pediatrics 141, 6 (2018). https://doi.org/10.1542/peds.2017-3119.*
[61] Sara Tiano, Victor Valle, and John Kelly, "Study: Half of Kids Born to Teen Moms in Foster Care Will Wind Up in Foster Care Themselves," The Chronicle of Social Change, June 25, 2018, https://chronicleofsocialchange.org/research-related/study-parenting-foster-youth/31352).
[62] Elizabeth Wall-Wieler, Marni Brownwell, Deepa Singal, Nathan Nickel, and Leslie L. Roos. "The Cycle of Child Protection Services Involvement: A Cohort Study of Adolescent Mothers." *Pediatrics 141, 6 (2018). https://doi.org/10.1542/peds.2017-3119.*
[63] Courtney, Mark E., et al. "Midwest Evaluation of the Adult Functioning of Former Foster Youth: Outcomes at Age 19." *Chapin Hall*, Chapin Hall Center for Children at the University of Chicago, May 2005, www.chapinhall.org/wp-content/uploads/Courtney_Midwest-Evaluation-Adult-Functioning_Report_2005.pdf.

high in Canada, imagine what they must be in our country.

In 2018, there was hope for young mothers and their babies in the United States foster care system as President Trump "signed a major overhaul of child welfare financing that [made] more federal funds available ... for them to stay together."[64] This piece of legislation—the "Family First Prevention Services Act"—was signed into federal law in February and ensured that "young women who become pregnant while in care will be eligible for up to 12 months of preventative services intended to keep mother and child together."[65] While this is promising, there is still much we as a country have to learn about our young mothers in the foster care system and how we can better care for, protect, and serve them.

Reformation of United States Child Protective Services

Thus far, it has been established that the United States child protective system has and continues to fulfill a great need in our society. Although it has a relatively recent history, we have already been able to observe vast improvements in our approach towards addressing the rate of child abandonment, abuse, and neglect in our country. Moreover, we have also witnessed an increase in the system's logistical efficiency and efficacy. By no means, do these things need to be understated or overlooked.

However, it has also been established that due to the division of responsibility between the federal, state, and local governments to provide these services, certain vulnerable populations are placed at an even greater disadvantage. While this is not wholly a consequence

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[64] Sara Tiano, Victor Valle, and John Kelly, "Study: Half of Kids Born to Teen Moms in Foster Care Will Wind Up in Foster Care Themselves," The Chronicle of Social Change, June 25, 2018, https://chronicleofsocialchange.org/research-related/study-parenting-foster-youth/31352).
[65] Sara Tiano, Victor Valle, and John Kelly, "Study: Half of Kids Born to Teen Moms in Foster Care Will Wind Up in Foster Care Themselves," The Chronicle of Social Change, June 25, 2018, https://chronicleofsocialchange.org/research-related/study-parenting-foster-youth/31352).

of such division, it is important to recognize that this very much could be a prominent contributing factor. This, too, does not need to be understated or overlooked.

In order for the system to better serve the very individuals it was originally created to serve, the child protective system and its operations need to be examined and reformation of the system needs to be seriously considered. Seeking to accomplish one of these would be a feat in and of itself, so seeking to accomplish the both of them poses a great challenge. While I do not have the perfect solution to go about doing so - as I am doubtful there even is one—I want to propose a few viable options of reformation that have shown to improve the welfare system for all those involved.

The first option is more "big picture" and involves legislative action on the part of the federal government. Rather than being reactive, the federal government has the opportunity to be proactive by passing and enacting legislation that targets and enables prevention programs across the country. Particularly, they can invest in organizations and nonprofits (such as state and regional child advocacy centers) that are interested in "... [providing] evidence-based services to prevent child maltreatment…").[66] One example of this type of legislation has already been mentioned in this thesis: the "Family First Prevention Services Act."

Passed in February 2018, Family First was created with the goal of "[keeping] children from ever having to enter the child welfare system," but in the case that a child does ultimately find themself entering into it, this law "strengthens the programs available to ensure the best

[66] Denise Edwards, "Reforming and Improving the Child Welfare System to Meet Needs of Children – National Children's Alliance," National Children's Alliance , March 6, 2018, https://www.nationalchildrensalliance.org/reforming-and-improving-the-child-welfare-system-to-meet-needs-of-children/).

possible care for kids."[67] Set for evaluation this year, the law began with two main focus areas: "[1] mental health and substance abuse prevention treatment services and [2] in-home parent skill-based services."[68] It will certainly be interesting to see if this law satisfies its original intent, and to see if its focus areas will be adjusted, especially in light of the unforeseen circumstances we are currently finding ourselves in.

Another option is to reform the actual institution of child welfare, which consists of the managers, supervisors, and caseworkers that are the hands and heart of the system. Due to an increase in attention and pressure for reform in the 1990s, New Zealand experienced a drastic shift in the ways in which their child welfare management and professionals conducted their business. Their undertaking and overhaul could act as a model for our own reformation.

The defining feature of their reform has been "a partnership between managerial discipline and professional leadership."[69] At the core of this partnership was a "respect [for] management, a strong vision, a culture of high performance, and greater organizational stability and confidence," all of which laid the foundation for "professional reforms [to be]

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[67] Denise Edwards, "Reforming and Improving the Child Welfare System to Meet Needs of Children – National Children's Alliance," National Children's Alliance , March 6, 2018, https://www.nationalchildrensalliance.org/reforming-and-improving-the-child-welfare-system-to-meet-needs-of-children/).

[68] Denise Edwards, "Reforming and Improving the Child Welfare System to Meet Needs of Children – National Children's Alliance," National Children's Alliance , March 6, 2018, https://www.nationalchildrensalliance.org/reforming-and-improving-the-child-welfare-system-to-meet-needs-of-children/).

[69] Connolly, Marie & Smith, Ray. (2010). Reforming Child Welfare: An Integrated Approach. Child welfare. 89. 9-31.

established."[7071] This approach certainly seems to have the potential for success, but before applying it to our system, it would be critical to understand how it has impacted theirs.[72]

There is a third option that strategically combines the desire for more resources to be allocated towards preventative services with the push for children to stay within their families, as long as it is safe and appropriate for them to remain in their care. Up to this point, there has only been one research study conducted on this, but it suggests that investing in such a reform "could save billions of dollars while helping more families and protecting [thousands] more children."[73]

RAND researchers seeking to combine these two ideals "identified a package of policies" of "a balanced [and integrated] approach that [combines] prevention and kinship care."[74] And the results are encouraging, despite the "[required] upfront increase in spending on new [preventative] services."[75]

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[70] Connolly, Marie & Smith, Ray. (2010). Reforming Child Welfare: An Integrated Approach. Child welfare. 89. 9-31.

[71] I did not believe it was appropriate to include the professional reforms in the body of the text if I was unable to expand on them. However, I do still believe it is important to list them on this page. They include "the knowledge framework, the service model, the practice package, and staff support." All of these are explained in the article "Reforming Child Welfare: An Integrated Approach" which is included in the bibliography.

[72] Unfortunately I was unable to find any research on the consequences the implementation of this reform has had on New Zealand's child welfare system or else I would have included it.

[73] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018, https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

[74] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018, https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

[75] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018,

Indeed, the researchers have reason to believe that spending would ultimately result in a net gain: that is, overtime there "would be a reduction in total lifetime costs of between 3 and 7 percent. That would mean savings of between $5.2 and $10.5 billion, from the current baseline of $155.9 billion."[76] But there is much more to lose beyond the "$30 billion a year [it costs] to investigate abuse reports, counsel and support families, and provide foster homes for children at most risk," half of which is provided by the federal government with some "with legal strings attached."[77]

As expressed by Amnoni Myers, an individual who is personally all too familiar with the child welfare system:

> It costs more to take a child out of the home than it does to keep a child in the home. Not just financially. It costs more emotionally. It's a disturbance; it's traumatic. You just always want somebody that can understand you, somebody that can be there for you. You want somebody that can love you.[78]

A child who enters into the foster care system often experiences great emotional and social troubles as they are bounced from various living situations without much stability or support.

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https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

[76] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018, https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

[77] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018, https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

[78] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018, https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

As mentioned earlier, the older they get and the longer they go without stability and support, their likelihood for positive outcomes decrease.

On the contrary, researchers were able to conclude that when these individuals do have that stability and support, their likelihood for more positive outcomes increases.[79] In their study, the RAND researchers concluded that when children have access to preventative services and remain within the family unit, there are "nearly 4% fewer episodes of maltreatment occur" and "convictions, substance use, homelessness, and underemployment each drop by about 6%" as the children age.[80] Undeniably, this avenue would need to be researched further, as this has been the first study of its kind. But if these results can be refined or replicated, this type of reformation of the child welfare system could make all the difference.

The last option I wish to propose is less of a reform but more of a recommendation when considering reformation. I am of the belief that those who experience the reality of a situation first-hand are most entitled to speak on it.[81] Thus, when reforming—and even potentially transforming—the United States child welfare system and its operations, it is vital that one takes the opportunity to attempt to understand the opinions and perspectives of those that often have their lives directly impacted by the system.

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[79] These increases can also potentially be attributed to the additive effects of preventative services.

[80] Doug Irving, "How the Child-Welfare System Could Protect More Kids and Save Billions of Dollars," RAND Corporation, April 25, 2018, https://www.rand.org/blog/rand-review/2018/04/how-the-child-welfare-system-could-protect-more-kids.html).

[81] This has often led me to question my role and authority to act as a legal representative, advocating on the behalf of families and children in difficult and often harmful home situations, in a court of law. It is a deeply personal question that I know will keep me grounded through my study and practice of law for years to come.

Undoubtedly, I am speaking about the mothers and fathers who have been involved in the child welfare system and—more often than not—have their voice on the matter silenced. Believed to be unfit or too incompetent to parent by those in control, these parents often fail to have a platform to voice their thoughts and feelings.[82] To me, it is almost despicable that they are left out of a conversation regarding a situation that they have experienced for themselves. This is especially bothersome considering that in most instances, those individuals who are making the decisions for them do not have the slightest idea of what it must be like. There is a disconnect between the two that is often disregarded and that has devastating consequences for all involved.

Conclusion

In its recent history the United States child protection system has fulfilled a desperate need regarding the well-being of our nation's children. Yet, this effort—created to address the growing number of children experiencing abandonment, abuse, or neglect—became a problem itself. Our system elicits frustration and disappointment. The United States's child-protection system is harming the very individuals it is intended to serve, and because of this system, three vulnerable populations are at greater disadvantage: the African American community, "aged out" youth, and young mothers. Our child protection system is in desperate need itself: a need only true reform can satisfy. It is important to consider where that reform begins—whether at

[82] This makes me all the more grateful for outlets like Rise Magazine, which "[trains] parents to write and share their experiences with the child welfare system in order to deepen understanding of fragile families; [provides] information, healing and encouragement to parents; and [guides] child welfare professionals in becoming more responsive to the families and communities they serve." In doing so, Rise "amplifies parent voice child welfare reform and changes the story of who these parents are–and can be." I could not recommend them enough, so a link to their website can be found in the bibliography.

the federal, state, or local level. It is also important to consider the perspectives of those directly affected. Ultimately the question becomes will our system protect our children, or will it protect itself from our children.

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