



Achieving Equity for African American Children and Families in Minnesota's Child Welfare System

KEEPING FAMILIES TOGETHER

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We cannot have equity for all Minnesotans, if we do not have equity for African American children and their families in Minnesota's child welfare system.

Issue Statement

Despite awareness of the disparities in our child protection system for African American children and their families, including increased removal from parental care and placement in non-family foster care, Minnesota has failed to take action to remedy this inequity. Adoption of the provisions in the African American Family Preservation Act is an essential first step toward creating an equitable and accountable child welfare system for African American children and their families.

Understanding the Problem

Imagine this:

- ❖ You and your children go for a walk one summer day. Upon returning home, you realize that you locked yourself out. During the time it takes you to get into your home, your children get overheated. However, soon after getting indoors, after being treated with a cold compress, they are all fine.

What should the consequences be as a parent, if any, for getting locked out of your house? Perhaps you are thinking, none. Accidents happen. You were not negligent in the care of your children.

If you are a parent who is white in Minnesota, and the preceding scenario happened, most likely you would have never heard from child protection services. However, if you are an African American parent, the situation might play out very differently. And, in fact it did. The mother—who is African American, lost custody of her children for two years.⁵

Currently, in Minnesota, when a child maltreatment report is received, “white families with the same or more egregious allegations are more likely to receive services that allow their children to remain in the home, while African American children are removed from their parents” (p. 1).³ This inequity is evident in every stage of the child protection system.

African American children and their families:

- ❖ Are 3x more likely than their white counterparts to be involved in child protective services.⁹
- ❖ Have higher a chance of being involved in the system more than once than their white counterparts.⁹
- ❖ Remain separated from each other for longer periods of times.⁸

Because of the overrepresentation of African American children in the child protection system, they face a higher chance of being removed from their family home and family's care.³ Children removed from their families and placed in foster care are much less likely to be reunified with their families.⁸ Children who are not reunified with their families:

- ❖ Experience worse mental health outcomes as an adult.¹¹
- ❖ Have lower educational attainment.⁸
- ❖ Have increased involvement with the justice system.⁸
- ❖ Have poor employment outcomes.⁸

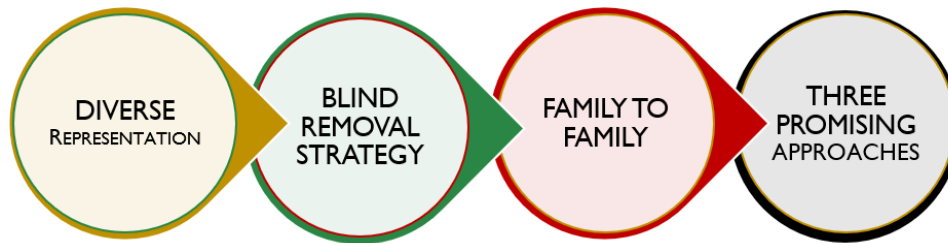
Current Policy Approach

Currently, there are no laws in Minnesota that specifically address the overrepresentation of African American families in the child protection system.⁶ Despite the laws in place to ensure safety and promote well-being, there is both a lack of appropriate accountability when it comes to following these laws and unintended consequences that disproportionately affect African American families.

For example:

- ❖ Current Minnesota law mandates that when children come into care, social workers should first look for relatives to place them with before placing them in foster homes with strangers.¹⁴ However, there are several examples in Minnesota where African American or biracial family members are being overlooked as a placement option. In one Minnesota case, a biracial grandmother has been fighting to have her grandson placed with her for almost four years without success, despite her having jumped through several hoops to become licensed.⁷
- ❖ Minnesota law also includes over 100 different crimes that would result in individuals being denied a foster care license. One Minnesota grandfather who has already been providing a loving, stable home for his grandson is now at risk of his grandson being removed because of a burglary charge from over 40 years ago that showed up on his background check.¹³
- ❖ After the death of a Minnesota child in 2014, the [Governor's Task Force on the Protection of Children](#) was started in Minnesota. This task force made 93 recommendations that shifted Minnesota's child welfare system away from preserving families to focusing on protecting children¹² resulting in an increase in children being removed from their homes. Minnesota has had one of the highest rates in the country of placing children in foster care since 1999 and with this task force the rates of removal only increased. Studies have shown that in most cases, children would be safer and do better when left in their homes.¹⁷ Because African American children are disproportionately represented in the child welfare system in Minnesota, the increase in removing children has detrimentally affected this population.

Effective Policy Models



No state has enacted legislation to address the overrepresentation of African American families in the child protection system. However, local jurisdictions in the United States have launched initiatives in an attempt to reduce these disparities. The three counties profiled have had some success in reducing disparities.

- ❖ **Franklin County in Ohio** successfully reduced the number of African American children from “47% of Franklin County’s agency caseload” to 41% of their caseload within five years (para. 1).² Franklin County achieved this success through the development of numerous task groups made up of diverse agency members. The success of this initiative is credited to the task group’s work on “[identifying] community needs, [reviewing] data from past cases to identify trends, and [working] together to identify changes in agency practice” (para. 7).²
- ❖ **Nassau County in New York** was able to reduce their percentage of African American families involved in removals from 55.5% to 29% within five years by utilizing a “blind removal strategy” (paras. 5-7).¹⁰ The process is considered “blind removal” because when agency staff meet to decide if a child needs to be removed from their home, no identifying or other demographic information is included into the discussion (para. 6).¹⁰
- ❖ **Fresno County in California** reduced the number of African American children removed from their homes from 24% in 2000 to 17% in 2009.¹⁶ This was accomplished through several concentrated efforts, which began with implementation of the “Family to Family” program (p. 3).¹⁶ This approach involved “Team Decision Making” to address the needs of children and families, with the aim to promote a safe placement at home (p. 3).¹⁶

Minnesota has the chance to be a leader in enacting legislation to address overrepresentation of African American children and families in our child welfare system. Currently, there is proposed legislation – the **African American Family Preservation Act**– which aims “to minimize out-of-home placements and promote reunification...” for African American families in Minnesota (para. 4).⁵

The Council for Minnesotans of African Heritage (CMAH), is a state agency charged with, “[ensuring] that people of African heritage fully and effectively... benefit from... policies and procedures” within Minnesota (para. 1).⁴ **CMAH is in support of the African American Family Preservation Act** and “believe[s] this bill addresses current disparities that exist in the child welfare system in a way that not only protects the best interests of African American children but also promotes the stability and security of African American families” (para. 1).¹⁵

Policy Recommendations

Despite awareness of the disparities in our child protection system for African American children and their families, Minnesota has failed to take action to remedy this inequity. Adoption of the provisions in the [African American Family Preservation Act](#) is an essential first step toward creating an equitable and accountable child welfare system for African American children and their families. Minnesota has the potential to lead the United States by enacting reforms to ensure that Minnesota's child welfare system is a fair and equitable system for all children and their families, regardless of the color of one's skin.

The following actions outlined in the African American Family Preservation Act must be taken:

- ❖ Form an oversight council to create and implement policies and procedures to address overrepresentation in the Minnesota child welfare system and to hold county agencies accountable.¹
- ❖ Require county agencies to work to prevent out-of-home placement by providing supportive and responsive in-home services to African American families.¹
- ❖ Ensure that in situations where children are removed from their homes, they are placed with extended family, kin, or a African American foster family, to the maximum extent possible, in an effort to maintain cultural ties.

To access this document online go to: [INSERT LINK HERE](#)

References and Resources to Learn More

1. [African American Family Preservation Act](#) S.F. 730, 91st Minn. Leg. Reg. Session. (2019 - 2020).
2. Chiamulera, C. (2012, April). *Reducing racial disparities in child welfare: One county's approach*. American Bar Association.
3. Council for Minnesotans of African Heritage. (2018). *The Council for Minnesotans of African Heritage statement in support of HF 3973 Minnesota African American Preservation Act*.
4. Council for Minnesotans of African Heritage [CMAH]. (n.d.). *About*. Facebook.
5. Cooney, V. (2019, March). *Expanded bill aims to address racial disparities in state's child protection system through sweeping change*. *Minnesota House Session Daily*.
6. Copeland Tyronce, L. (2018, November). *If Native Americans can have their child welfare laws enacted without a fuss (federal and in Michigan) then black people should have theirs too!!!*. Medium.com
7. Kelly, J. (2020, January). *Latonia vs. Chisago County: An African American woman's four-year fight for her grandson*. Chronicle of Social Change.
8. Martin, M. & Connelly, D. D. (2015). *Achieving racial equity: Child welfare strategies to improve outcomes for children of color*. Center for the Study of Social Policy.
9. Minnesota Department of Human Services. (2019). *Minnesota's child maltreatment report, 2018*.
10. Pryce, J. (2020, January 13). *The case for race-blind foster care removal decisions*. *Chronicle of Social Change*.
11. Redlich Epstein, H. (2017, July). *Kinship care is better for children and families*. American Bar Association.
12. Safe Passage. (n.d.). *Reforms initiated by Governor's Task Force on the Protection of Children*.
13. Serres, C. (2020, February 22). *Minnesota families and advocates fight to eliminate barriers to foster care*. *Star Tribune*.
14. *Children in placement*, Minn. Stat. § 260.212 (2019).
15. Terrell, J. (n.d.). *African American Family Preservation Act*.
16. Weber, K. (2015). *Fresno County Department of Social Services: Confronting racial inequalities and disproportionality to improve child welfare outcomes for children & families*. Center for the Study of Social Policy.
17. Wexler, R. (2018). *Minnesota's approach to child protection makes children less safe*. *MinnPost*.

